

OFFICE OF THE SHERIFF
Contra Costa County

Internal Affairs
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DAVID O. LIVINGSTON
Sheriff-Coroner

Michael V. Casten
Undersheriff

Date: August 1, 2019

To: **DAVID O. LIVINGSTON, Sheriff**
Via: Michael V. Casten, Undersheriff

From: **Ken Westermann, Lieutenant, Internal Affairs**
By: Ryan Sullivan, Sergeant, Internal Affairs

Subject: Administrative Inquiry - I.A. # 2018-091

CONFIDENTIAL

SUMMARY

On November 3, 2018, at approximately 1103 hours, Deputy Maka and Officer Muller were dispatched to a report of a suspicious subject at 68 Cottage Place in Danville. An Asian male adult, approximately 28 years old, five feet and seven inches tall, approximately 150 pounds, with dark hair and glasses, and wearing a grey sweatshirt and black pants was ringing the reporting parties' doorbell. The suspicious subject was walking north on Laurel Dr towards Hartz Ave. The suspicious subject was later identified as Mr. Laudemer Arboleda.

At approximately 1114 hours, Deputy Maka and Officer Muller located Mr. Arboleda on Princeton Ln and attempted to contact Mr. Arboleda in his vehicle. Deputy Maka and Officer Muller exited their patrol vehicle and Mr. Arboleda proceeded to drive away from them.

At approximately 1116 hours, Deputy Maka and Officer Muller located Mr. Arboleda on Laurel Dr and attempted to conduct a traffic enforcement stop. Mr. Arboleda again drove away from the Danville Police Officers, northbound on Laurel Dr. Mr. Arboleda was located a third time by Danville Police Officers and a high-risk vehicle stop was attempted. Mr. Arboleda drove around officers that had placed him at gunpoint and were giving him commands.

Deputy Maka, Officer Muller, and Officer Caruso pursued Mr. Arboleda west on Hartz Ave then north on Front St. Officer Hall placed himself en route to the area of the pursuit. Officer Hall traveled west on Diablo Rd and then south on Front St. As Officer Hall turned south on Front St, Mr. Arboleda's vehicle was directly in front of Officer Hall's patrol vehicle. Officer Hall exited his vehicle, ran around the rear of his patrol vehicle to the right rear passenger side. Sergeant Martin arrived on scene and placed his patrol vehicle to the right of Officer Hall's vehicle on Front St.

HONOR

COURAGE

COMMITMENT

LEADERSHIP

TEAMWORK

As Officer Hall rounded the rear of his patrol vehicle, Mr. Arboleda accelerated and attempted to drive between the two Danville patrol vehicles, directly at Officer Hall. Officer Hall discharged his duty firearm at the windshield of Mr. Arboleda's vehicle. Mr. Arboleda continued driving through the intersection of Front St and Diablo Rd, where he collided with another vehicle traveling west on Diablo Rd.

Officers ran to the location of the collision, removed Mr. Arboleda from his vehicle and began to perform life-saving measures on Mr. Arboleda. San Ramon Valley Fire Engine 31 and Medic 31 responded to the scene and transported Mr. Arboleda to San Ramon Regional Medical Center where Mr. Arboleda was pronounced deceased.

Decedent's Information

Laudemer Atienza Arboleda
02/09/1985, OMA
CDL: [REDACTED]

INVESTIGATION

The following personnel responded pursuant to the Protocol:

Office of the Sheriff

Lieutenant Foley
Sergeant Bailey
Sergeant Marchese
Detective Allen
Deputy Ingersoll
Detective Jacquez
Detective Morris
Detective Vu
Detective Young

Office of the District Attorney

Deputy District Attorney Mulligan
Inspector Holcombe
Inspector Mathers
Inspector Morely
Inspector Sousa
Inspector Solzman

Crime Lab

Crime Scene Investigators

Employee Representation

Sergeant S. Welch, *Deputy Sheriff Association*

HONOR

COURAGE

COMMITMENT

LEADERSHIP

TEAMWORK

Sarah Burdick, Rains, Lucia, and Stern, PC

Investigating Assignments

Danville Police Chief, Lieutenant Shields, along with Danville Police Lieutenant Muse, Danville Police Sergeant Hoekwater, and Office of the Sheriff Sergeant Barden provided a briefing of the incident at the Danville Police Station. Following the briefing, investigative teams were assigned to conduct interviews or tasked with the following investigative responsibilities:

Detective Ingersoll / Inspector Morely - Interview of Sergeant Martin and Officer Hall

Detective Morris / Inspector Solzman – Interview of Deputy Maka, Officers Muller and Caruso, and witness Madison Slaughter

Detective Cal / Inspector Sousa – Family notification

Detective Vu / Inspector Holcombe - Interview of witnesses

Detective Young / Detective Marshall – Interview of San Ramon Valley Fire personnel

Detective Jacquez / Inspector Mathers – Interview or reporting party and neighbors

Deputy Clark was assigned to document the incident in DR 18-7491.

The investigation revealed no facts in direct conflict with those outlined in the initial background summary. Additional and/or clarifying information obtained during the criminal investigation includes the following:

On November 3, 2018, investigators interviewed Danville Police Officer Hall. Officer Hall stated he responded "Code 3" to provide assistance on a vehicle pursuit involving other Danville Police Officers. As Officer Hall approached the intersection of Diablo Rd and Front St, he observed the low-speed pursuit approaching him from Front St. Officer Hall turned south onto Front St and positioned his vehicle in front of the suspect vehicle, which appeared to be stopping. Officer Hall stated he did not know if he blocked the right turn pocket and the northbound lane or just the right turn pocket. Mr. Arboleda was traveling in the northbound lane. Officer Hall stated he made sure not to block the southbound lane of Front St.

Officer Hall exited his vehicle and went around the rear of his patrol vehicle to the passenger side. Sergeant Martin arrived immediately after and stopped his vehicle in the southbound lane, to the right of Officer Hall's patrol vehicle. Officer Hall stated the suspect only had one avenue to travel on Front St and that was between his and Sergeant Martin's vehicles. Officer Hall drew his firearm and pointed it at the suspect vehicle. Officer Hall said he thought the suspect would stop. Mr. Arboleda proceeded to drive between Sergeant Martin's and Officer Hall's patrol vehicles. Officer Hall stated that as the suspect vehicle turned toward him, he could clearly see the driver, Mr. Arboleda, who had a dazed look on his face.

Mr. Arboleda then drove towards Officer Hall who stated he had no protection and nothing he could get behind. Officer Hall said he believed Mr. Arboleda had no intention of stopping and he would be killed if he did not act. Fearing for his life, Officer Hall discharged his firearm at Mr. Arboleda.

Officer Hall stated he fired four or five rounds at the suspect, paused and then fired four or five more rounds at Mr. Arboleda because he thought the suspect vehicle was going to seriously injure Sergeant Martin. After watching Body Worn Camera and Dash Camera video, Officer Hall realized he fired all the rounds in a continuous volley at Mr. Arboleda.

Officer Hall said the suspect vehicle continued past him and collided with another vehicle across the street. Officer Hall followed the vehicle on foot and saw that Mr. Arboleda's eyes were open, but he was not responsive. Officer Hall said the vehicle doors were locked and he smashed the window out with his baton and a window break tool. Officer Hall opened the driver's door and pulled Mr. Arboleda out. Officer Hall stated he advised dispatch of the shots fired and requested Code 3 medical response. Officers on scene then began providing life-saving measures. Officer Hall attached an AED to Mr. Arboleda and the unit advised to begin CPR.

San Ramon Valley Fire Station 31 personnel arrived on scene at approximately 1122 hours. They were training in the area prior to being dispatched to the report of a gunshot victim, making their response time even quicker. Firefighter/Paramedic Clauzel, who is assigned to San Ramon Valley Fire Paramedic 31, said that when he arrived on scene, he witnessed officers performing chest compressions and ventilations on an Asian male (Mr. Arboleda). Firefighter/Paramedic Clauzel also stated an AED was attached to Mr. Arboleda. Firefighter/Paramedic Clauzel removed Danville Police's AED and attached a San Ramon Valley Fire AED and monitor. Firefighter/Paramedic Clauzel prepared Mr. Arboleda for transportation and applied an Autopulse machine due to him having no pulse. The Autopulse machine is used to provide automatic chest compressions. While providing treatment, Firefighter/Paramedic Clauzel stated he saw approximately 12 puncture type wounds on Mr. Arboleda. Firefighter/Paramedic Clauzel and his partner transported Mr. Arboleda to San Ramon Regional Hospital. Once they arrived, hospital staff took over life-saving measures.

Firefighter/Paramedic Olson, who is assigned to San Ramon Valley Fire Truck 31, stated Truck 31 was not initially dispatched to the detail but responded because they were training in the area and nearby. Firefighter/Paramedic Olson stated he arrived shortly after Paramedic 31 and Engine 31. When he arrived, Firefighter/Paramedic Olson saw Mr. Arboleda laying on the ground and officers performing CPR while fire personnel were setting up their equipment. Firefighter/Paramedic Olson retrieved the Autopulse machine and assisted in applying it to Mr. Arboleda. Firefighter/Paramedic Olson stated Mr. Arboleda was unresponsive and not breathing and appeared to have gunshot wounds on the right arm, right shoulder, and chest. Firefighter/Paramedic Olson said the monitor indicated Mr. Arboleda did not have a pulse and mechanical CPR was started.

Firefighter/Paramedic Duggan was assigned to San Ramon Valley Fire Truck 31. When he arrived on scene, Firefighter/Paramedic Duggan said he saw officers and fire personnel treating Mr. Arboleda. Mr. Arboleda appeared to have multiple penetrating injuries which appeared to be gunshot wounds in the chest and right arm. Firefighter/Paramedic Duggan was told Mr. Arboleda did not have a pulse. Firefighter/Paramedic Duggan assisted with preparing Mr. Arboleda for transport. Firefighter/Paramedic Duggan rode in the ambulance to the hospital and performed BLS (Basic Life Support) airway with a Bag Valve Mask. Firefighter/Paramedic said the BLS airway was insufficient

and continued with an endotracheal airway with the Bag Valve Mask. Mr. Arboleda remained unresponsive and pulse-less. Once they arrived, hospital staff took over care.

San Ramon Valley Fire Battalion Chief McMara responded from the station. He arrived on scene at approximately the same time as Truck 31. Chief McMara observed a couple of bullet holes in Mr. Arboleda's chest. Chief McMara did not witness any life-saving measures as officers and fire personnel were in the middle of transitioning care.

Mr. Arboleda was transported by San Ramon Valley Fire Paramedic 31 to San Ramon Regional Hospital. Paramedic 31 personnel performed life-saving measures on Mr. Arboleda until they reached the hospital. Upon arrival, hospital staff took over and were unable to revive Mr. Arboleda. Dr. Cardena of San Ramon Regional Hospital pronounced Mr. Arboleda's death at 1144 hours.

Investigators interviewed Sergeant Martin at approximately 1646 hours on November 3, 2018. Sergeant Martin was the Danville Police supervisor at the time of the incident. Sergeant Martin was responding to the direction of the pursuit when he reached the intersection of Diablo Rd and West El Pintado at approximately the same time as Officer Hall who was approaching westbound on Diablo Rd. Sergeant Martin said he braked to avoid a collision with Officer Hall in the intersection. Sergeant Martin followed behind Officer Hall. Officer Hall then made a left turn onto Front St and Sergeant Martin said he could see the pursuit approaching at a low rate of speed. Sergeant Martin came around onto the far side of Officer Hall's patrol vehicle.

Sergeant Martin stated the suspect vehicle was "lurching forward" and thought he was going to get hit by the vehicle. Sergeant Martin said he braced for an impact when the suspect vehicle attempted to drive between Sergeant Martin's and Officer Hall's patrol vehicles. Sergeant Martin looked over and saw Officer Hall standing between the two patrol vehicles and the suspect vehicle headed directly towards him. Officer Hall began firing at the suspect vehicle. Sergeant Martin immediately used his radio to notify dispatch of shots fired.

Sergeant Martin stated the suspect vehicle continued between the patrol vehicles as Officer Hall moved out of the way. Sergeant Martin became concerned that he was in the crossfire and was going to take rounds in his door. Sergeant Martin said the suspect vehicle then crashed across the street. Sergeant Martin ran to the point of rest of the suspect vehicle and witnessed officers medically assessing Mr. Arboleda. Sergeant Martin said fire was requested Code 3 immediately. (See Sergeant Martin's interview, page 4, lines 161 to 176.)

Investigators asked Sergeant Martin what was going through his mind when he heard the shots being fired and the suspect vehicle attempted to drive between the two patrol vehicles. Sergeant Martin said, "I was thinking that the guy might run over Hall because Hall was standing in that spot. And like we discussed it's not a very wide spot." Sergeant Martin continued that when Officer Hall started shooting, Sergeant Martin thought he was going to get hit by rounds. Sergeant Martin said, "I looked over and he'd gotten out of the way. Hall had gotten out of the way. I don't know how he got out of the way. I don't know if he jumped on the truck or anything like that." Sergeant Martin stated that he prepared himself for the incoming rounds and the suspect vehicle continued through. (See Sergeant Martin's interview, page 6, lines 260 to 275.)

A review of the Body Worn Camera (BWC) video and Dash Camera video showed Officer Muller and his trainee Deputy Maka's patrol vehicle pursuing the suspect vehicle on northbound Front St

approaching the intersection at Diablo Rd. Sirens are heard on the recording and uninvolved passenger vehicles appear to be yielding to the right as the pursuit approaches. Officer Hall's patrol vehicle can be seen turning left onto southbound Front St. An uninvolved passenger vehicle is stopped in the right turn pocket as Officer Hall stopped in the northbound lane. The suspect vehicle and Officer Hall's patrol vehicle appear to stop in front of one another simultaneously.

Officer Hall exits his patrol vehicle and runs around the rear of it to the passenger side. As Officer Hall begins to point his firearm at the suspect vehicle, Sergeant Martin's patrol vehicle is making the left onto southbound Front St. Before Sergeant Martin can complete his turn onto Front St, Officer Hall begins firing multiple rounds at the suspect vehicle as it drives towards Officer Hall and Sergeant Martin's vehicle. Officer Hall backed out of the way as the suspect vehicle continued between the two patrol vehicles. Officer Hall stopped firing and ran after the suspect vehicle as it slowly drove across the intersection and came to rest after colliding with another passenger vehicle. Multiple officers responded to the point of rest and began rendering life-saving measures to Mr. Arboleda.

FORENSIC INVESTIGATION

On November 6, 2018, Doctor Josselson performed an autopsy of Mr. Arboleda. Doctor Josselson determined the cause of death was from a gunshot wound of left chest.

At the Coroner's Inquest on July 30, 2019, a jury made the verdict that Mr. Arboleda's death was caused by the hands of another person, other than by accident.

REPORTS

Office of the Sheriff	2018-14203
Internal Affairs	2018-091
Coroner	2018-5119

POLICIES / PROCEDURES REVIEWED

Office of the Sheriff General Policy and Procedure Section 1.06.52 – Vehicle Pursuits

Office of the Sheriff General Policy and Procedure Section 1.06.53 – Code Three Vehicle Operations

Office of the Sheriff General Policy and Procedure Section 1.06.61 – Use of Force

Office of the Sheriff General Policy and Procedure 1.06.62 – Police Involved Fatal or Serious Injury Incidents

Office of the Sheriff General Policy and Procedure Appendix 2.1 – Officer-Involved Fatal Incident Protocol

POLICIES / PROCEDURES CONGRUENT WITH COMMON PRACTICE

Office of the Sheriff General Policy and Procedure Section 1.06.52 – Vehicle Pursuits states in part:

I. POLICY.

- A. Vehicle pursuit guidelines are established to comply with the California Vehicle Code, current case law, and to assist Deputies in determining whether to initiate, continue or terminate a pursuit. Deputies involved in a vehicle pursuit shall use good judgment with due regard for public safety and follow the below established guidelines.

II. DEFINITIONS.

- H. **VEHICLE PURSUIT.** An active attempt to stop a moving motor vehicle when the driver is aware and is ignoring the Deputy's attempt to stop the vehicle, or is resisting apprehension by maintaining or increasing speed, and failing to comply with applicable rules of the road.

III. GENERAL.

A. LEGALITY OF DEPUTIES' ACTIONS.

1. A peace officer driving a vehicle must comply with normal "rules of the road" governing driving. The officer is only exempt from following these rules while driving in response to an emergency call, or immediately pursuing an actual or suspected violator of the law. The vehicle must sound a siren and display a lighted red lamp visible from the front. (Vehicle Code Section 21055.) The exemption from following normal "rules of the road" does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of persons using the highway or protect a peace officer from the consequences of an arbitrary exercise of the privileges exempting the officer from normal driving rules. (Vehicle Code Section 20156, 21807.)
2. A peace officer operating an authorized emergency vehicle in the line of duty in response to an emergency call or in immediate pursuit of an actual or suspected violator of the law, will not be personally liable for civil damages due to the personal injury or death of any person or damage to property resulting from the operation of the vehicle. (Vehicle Code Section 17004 et seq.)

- N. **LEGAL INTERVENTION.** Legal Intervention in this context refers to when a pursuing patrol car is purposefully brought into contact with a fleeing vehicle in a maneuver designed to end a pursuit safely. Deputies should avoid such intervention maneuvers except when an overriding public safety issue requires that the fleeing vehicle be immediately stopped and the Patrol Supervisor monitoring and supervising the pursuit gives consent. In determining whether to execute such Legal Intervention, the requesting Deputy and the Supervisor shall be mindful of Office of the Sheriff Policy Section 1.06.61, Use of Force, and its definition of "Deadly Force." ("Any use of force that creates a substantial risk of causing death or serious bodily injury.") Accordingly, intervention maneuvers should not generally be undertaken unless the situation warrants the immediate use of deadly force.

4. Barricading a roadway should be avoided unless necessary to safely end a pursuit and shall not be undertaken unless authorized by the Patrol Supervisor.

- a. A roadway barricade must be constructed in a manner to allow the fleeing vehicle sufficient time and distance to bring his/her vehicle to a complete stop prior to the barricade, should he/she decide to do so.
- b. Pursuing units and outside agencies must be notified of the barricade and given sufficient prior warning as to its location.

Officer Hall responded Code 3 to the area of an approaching pursuit on northbound Front St. As the pursuit approached the intersection of Diablo Rd, Officer Hall made a left turn onto southbound Front St, in front of the suspect vehicle. The right turn pocket from northbound Front St was occupied by an uninvolved passenger vehicle. Officer Hall's patrol vehicle blocked the northbound lane almost perpendicular to the suspect vehicle. The situation happened very quickly as both Officer Hall's vehicle and the suspect vehicle appeared to stop in front of each other simultaneously. The southbound lane on Front St was clear until Sergeant Martin attempted to make the left turn onto southbound Front St. When Officer Hall blocked the northbound lane, the suspect continued fleeing by driving between Sergeant Martin and Officer Hall's vehicles.

Office of the Sheriff General Policy and Procedure Section 1.06.53 – Code Three Vehicle Operation states in part:

I. POLICY.

- A. To promote the safety of the public and employees, emergency vehicle operation will be in accordance with all applicable laws. Emergency lights and siren will always be utilized when driving Code Three.

II. GENERAL.

A. JUSTIFICATION FOR EMERGENCY OPERATION.

1. An incident requiring a response to prevent further injury and/or death to any person.
2. Any incident requiring the immediate presence of a law enforcement officer to prevent a dangerous situation from escalating.
3. Apprehension of a fleeing felon or other serious law violator. Refer to Sheriff's Office Policy Section 1.06.52.

Office of the Sheriff General Policy and Procedure 1.06.61 – Use of Force states in part:

I. POLICY.

- A. Deputies shall use only that degree of force that is objectively reasonable to protect themselves and others, or to overcome resistance to their lawful authority.

II. DEFINITIONS.

- B. **Deadly Force:** Any use of force that creates a substantial risk of causing death or serious bodily injury.

III. GENERAL.

- A. **DECISION TO USE FORCE.** A Deputy's decision to use force shall take into consideration the facts and circumstances of each individual situation. Factors a Deputy should consider when deciding to use force in a given situation include but are not limited to:

1. Severity of the crime at issue;
2. Whether the suspect(s) pose an immediate threat to the safety of Deputies or others;
3. Whether the suspect(s) are actively resisting arrest or attempting to evade arrest by flight;
4. The time to make decisions;

- B. **USE OF FORCE.** The amount of force used shall only be the amount that is objectively reasonable to control the resistance encountered in light of all the relevant circumstances. The force used should not be escalated unless it's reasonably determined that a lower level of force would not be adequate, or such a level of force is attempted and found to be inadequate. When deciding to use force, Deputies should consider the following specific factors for evaluating their use of force:

1. The need for the use of force;
2. The relationship between the need and the amount of force to be use;
3. The extent of potential injuries that could result;
4. The threat reasonably perceived by the Deputy;
5. Other available force options that could temper the severity of a forceful response.

- D. **FORCE OPTIONS.** The office of the Sheriff recognizes a Deputy's need for a degree of flexibility in making use of force assessments given the fluid dynamics of a confrontation. The standard for evaluating a Deputy's use of force is "reasonableness under the facts and circumstances known to the Deputy at the time." Therefore, a Deputy may choose any of the following force options, including no use of force, provided the force option selected is objectively reasonable.

12. **Deadly Force.** The use of deadly force is not limited to the use of firearms. Deadly force options may include the intentional use of legal intervention techniques and any physical means which creates substantial risk of causing death or serious bodily injury. Note that any force option listed above may be categorized as "deadly force" when used in a manner that falls within the definition of deadly force. For example, intentionally directing a baton strike to the head of a suspect would be use of deadly force. A Deputy may use deadly force only where he or she has probable cause to believe that a suspect poses a significant threat of death or serious bodily injury to the Deputy or others.

IV. PROCEDURE.

G. USE OF FIREARM/DEADLY FORCE.

1. A firearm may be discharged only for one or more of the following circumstances:
 - c. When necessary in the defense of one's own life or to prevent serious physical harm.
 - d. When necessary in the defense of any person in immediate danger of death or serious physical injury.

V. PROCEDURE 2.

- A. **PROVIDING MEDICAL AID AFTER USE OF FORCE.** When use of force causes injury, which would reasonably require medical attention, the Deputies using such force will ensure the injured person receives proper medical attention as soon as possible.
 1. Deputies will normally transport or arrange for transport of injured persons to the Contra Costa Regional Medical Center, unless the nature and/or extent of the injuries necessitate transport to a closer facility, or as directed by a Supervisor.

When Officer Hall exited his patrol vehicle, he ran around the rear of it and found himself between his patrol vehicle and Sergeant Martin's patrol vehicle. The suspect vehicle attempted to drive between the two patrol vehicles and directly towards Officer Hall. Officer Hall said, "I had no protection, that I could take cover behind, like my trunk or use a car to barricade myself. Since the car was driving at me, I believed he was gonna ram me, and kill me. I was very fearful that he had no intention of stopping, and that he would kill me if I did not take action. So, fearing for my life, I discharged my firearm towards the driver." (See Officer Hall's interview, page 6, lines 228 to 235.)

Officer Hall stated that as he was firing, Mr. Arboleda turned the steering wheel left towards Sergeant Martin's vehicle. Officer Hall said, "I now feared he was gonna try and strike Sergeant Martin, so fearing for his safety, I want to try and prevent him from harming Sergeant Martin, so I discharged, I

again don't remember the exact amount, but I discharged four of five more rounds into the driver's compartment area." (See Officer Hall's interview, page 6, lines 239 to 244.) Officer Hall was able to back up to avoid being struck by the suspect vehicle. He did not remember doing it and said, "It was probably instinctively, I moved backwards." (See Officer Hall's interview, page 17, lines 721 to 733.)

Immediately after discharging his firearm, Officer Hall ran to the suspect vehicle and removed Mr. Arboleda and began life-saving measures. Other officers on scene provided CPR and attempted to use an AED. The AED instructed to begin CPR. San Ramon Valley Fire, Engine 31, Paramedic 31, and Truck 31 all arrived on scene and took over life-saving measures. Paramedic 31 transported Mr. Arboleda to San Ramon Regional Hospital.

Office of the Sheriff General Policy and Procedure 1.06.62 – Police Involved Fatal or Serious Injury Incidents states in part:

I. POLICY

- A. Investigations of police involved fatal or serious injury incidents are often complex and demanding. Such cases often attract considerable public and news media interest. The consequences of the incident can be profound and affect many people. Because of these factors, incidents of this nature shall be fully and fairly investigated. Proper disposition of such cases will be based on all the legally available relevant evidence.

II. DEFINITIONS

- B. **POLICE INVOLVED FATAL OR SERIOUS INJURY INCIDENT.** Any police investigation directly involving two or more people in which an on-duty or off-duty police employee is involved and death or serious injury results. Such incidents include but are not limited to:
 - 1. Intentional and accidental shootings involving any serious injury, including police tactical incidents involving specialized response teams.

Due to Officer Hall discharged his firearm at the suspect vehicle, striking Mr. Arboleda multiple times, Sergeant Martin invoked the Law Enforcement Involved Fatal Incident Protocol per policy.

Office of the Sheriff General Policy and Procedure Appendix 2.1 – Officer-Involved Fatal Incident Protocol states in part:

E. "LAW ENFORCEMENT-INVOLVED FATAL INCIDENTS" "(LEIFIs)" – MANDATORY

*Law Enforcement-Involved Fatal incidents (LEIFIs) are "fatalities" (Refs 21-23) of civilians and of Law Enforcement Personnel which occur in Contra Costa County under any of the circumstances listed below. Fatalities which met the criteria listed below shall be investigated under this Protocol, i.e. they are **mandatory Protocol cases**, the criteria for which are:*

- 1. **Incidents fatal to civilians** in which (a) the conduct of a "Law Enforcement Person" or (b) the operations or activities of an LEA, is/are "actually or conceivably a factor" (**Ref 8**) in the fatality.

- a. Conduct of Law enforcement Personnel:
 - 1) LEOs (Ref 51) who are either "on-duty" (Refs 42-45) or "off-duty" (Ref 46).
- b. Law enforcement operations or activities of any type in which a fatality occurs, such as these examples:
 - 1) during attempts by LEOs, "on-duty" Reserve LEOs or by "on-duty" Non Sworn Personnel to detain, arrest or gain physical control of a person.

This incident involved the death of Mr. Arboleda, resulting from Officer Hall using deadly force to protect his life. San Ramon Valley Fire units responded and transported Mr. Arboleda to San Ramon Regional Hospital where he was later declared deceased. The Law Enforcement Involved Fatal Incident Protocol was invoked at the scene by Sergeant Martin per policy. A parallel investigation was conducted by investigators of the Office of the Sheriff and the District Attorney's Office.

The investigation did not reveal any violations of Contra Costa County Office of the Sheriff Policies and Procedures. Viewed objectively, the actions taken by Office of the Sheriff personnel concerning Mr. Arboleda were legal, proper, and in congruence with Contra Costa County Office of the Sheriff Policies and Procedures.

Detailed History for Police Incident #P183070327 As of 12/11/2018 10:26:27

Output for: 66677

Priority:3 Type:245B - ADW POLICE OFFICER

Location:68 COTTAGE PL, DAN btwn LAUREL DR and END

Map:653A2

Created:	11/03/2018 11:03:48	SC32	64514
Entered:	11/03/2018 11:05:25	SC32	64514
Dispatch:	11/03/2018 11:06:13	SC31	MSCHM001
Enroute:	11/03/2018 11:06:13	SC31	MSCHM001
Onscene:	11/03/2018 11:10:59	D2146	SMAKA001
Control:	11/03/2018 11:42:34	3513	70766
Transprt:	11/03/2018 12:21:05	SC32	64514
Complete:	11/03/2018 12:25:59	SC32	64514
Closed:	11/03/2018 23:03:58	SC33	MMALI001

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CONTRA COSTA COUNTY SHERIFF
COMMUNICATIONS CENTER

[Signature]
CUSTODIAN OF RECORDS *DE* DATE

ICUnit: PrimeUnit:21X1 Dispo:RTF Type:245B - ADW POLICE OFFICER

Agency:SP DAREA:DAN Beat:61 RD:4059

Case #:SP180014203 ☒ Detail

11:03:48 CREATE 64514/SC32 Location:68 COTTAGE PL, DAN Type:SSUBJ Name:CHP TRANS- [REDACTED]
Phone:[REDACTED] Source:WPH2 DAREA:DAN RD:4059
Description:SUSPICIOUS SUBJECT LocDesc:btwn LAUREL DR and END
Priority:1 Response:2PAT Agency:SP Map:653A2 LocType:S

11:03:48 ALI E911Phne:[REDACTED] E911Pilot:[REDACTED] E911Add:[REDACTED]
DAN E911Subs:VERIZON WIRELESS [REDACTED] E911Srce:WPH2
AliLong:-121.994816 AliLatitude:37.81782200 AliElevatn:751
Uncertainty:41 Confidence:90

11:03:48 ALIGEO GeoLong:-121.994816 GeoLat:37.81782200

11:03:48 ALIGEO GeoLong:-121.994816 GeoLat:37.81782200 ClosestAdd:24 COTTAGE PL
AddDesc:2 ft NW ClosestInt:COTTAGE PL / LAUREL DR InterDesc:26 ft
SW Area1:4059 Area2:SRV 24

11:05:25 ENTRY Comment:2 AGO AMA 28 YRS 507 150 DK HAIR GLASSES GRY SWEATSHIRT BLK
PANTS WAS RINGING RP'S DOORBELL,WALKING AROUND THE AREA AND NOW ON
FOOT HEADING NORTH ON LAUREL TWDS TO HARTZ

11:05:25 -NPREMS Comment:(none)

11:05:48 SELECT MSCHM001/SC31

11:06:13 DISPER 21X1 Operator:SMAKA001 75041 OperNames:MAKA,SONASI; MULLER,NICHOLAS

11:06:13 -PRIU 21X1

11:06:16 INFO 64514/SC32 Comment:NO SB ON LAUREL EAST SIDE OF THE RD COMING BACK TWDS RP'S
DIRECTION

11:06:21 NOMORE

11:06:22 *BACKER CCARU001/D2138 21X3 UnitID:21X1 Location:68 COTTAGE PL, DAN Operator:CCARU001
OperNames:CARUSO,CHARLES

11:06:22 *RFT 21X3 Comment:INQUIRY MOBAE,21X1

11:06:46 HOLD MSCHM001/SC31
 11:10:59 *ONSCN SMAKA001/D2146 21X1
 11:11:11 *ONSCN CCARU001/D2138 21X3
 11:12:01 RFT MSCHM001/SC31 21X3 Repeat:Yes
 11:12:01 INV 21X3 InvType:INNV Priority:1 Plate: Category:V
 11:12:01 RFT 21X3 Comment:INQUIRY Q,.....
 11:12:07 LOGM 21X3 Message:991811031812024189 MessageType:Text
 Received:11/03/2018 11:12:04 Comment:28
 11:14:52 CLOS 21X1 Location:PRINCETON Comment:WITH SUBJ
 11:15:12 MISCN 21X1 Comment:SUBJ DROVE AWAY, NEG TONES, LEFT BROOKWOOD BACK TO LAUREL
 11:15:29 BACKER 21W5 UnitID:21X1 Location:PRINCETON Operator:54964
 OperNames:MARTIN,CHRISTIAN
 11:15:52 CLOS 21X1 Location:BACK TO LAUREL
 11:16:15 MISCN 21X1 Comment:95 THE VEH ON LAUREL
 11:16:17 *BACKER 78504/D2131 21T1 UnitID:21X1 Location:BACK TO LAUREL Operator:78504
 OperNames:HALL,ANDREW
 11:16:29 MISCN MSCHM001/SC31 21X1 Comment:VEH FLEEING
 11:16:38 MISCN 21X3 Comment:DROPPED SOMETHING
 11:16:41 *BACKER 79308/D2136 21X2 UnitID:21X1 Location:BACK TO LAUREL Operator:79308
 OperNames:REED,SCOTT
 11:16:41 *RFT 21X2 Comment:INQUIRY MOBAE,21X1
 11:17:04 CLOS MSCHM001/SC31 21X1 Location:NB LAUREL
 11:17:37 MISCN 21X1 Comment:GONNA CALL IT IF HE KEEPS GOING ,GRY HOND CIV 4D
 11:17:43 MISCN 21W5 Comment:COPIES3
 11:18:00 MISCN 21X3 Comment:GIVE US TONES
 11:18:15 MISCN 21X1 Comment:AT GUN POINT, RIGHT ON FRONT LIGHT TRAFF SPEEDS 30
 11:18:20 CLOS 21X1 Location:FRONT ST
 11:18:26 MISCN 21X1 Comment:MOVING
 11:18:43 CLOS 21X1 Location:NB FRONT APPG E PROSPEC
 11:18:48 MISCN 21T1 Comment:FROM DIABLO
 11:19:11 MISCN 21W5 Comment:SHOTS FIRED
 11:19:20 *BACKER 80516/3509 1X11 UnitID:21T1 Location:BACK TO LAUREL Operator:80516
 OperNames:HOFMANN,ANTON
 11:19:20 *RFT 1X11 Comment:INQUIRY MOBAE,21T1
 11:19:28 *BACKER 76147/3500 1Y81 UnitID:21X1 Location:NB FRONT APPG E PROSPEC Operator:76147
 OperNames:CAREY,BRIAN
 11:19:33 *BACKER CSTAR001/3307 1X13 UnitID:21X1 Location:NB FRONT APPG E PROSPEC Operator:CSTAR001
 OperNames:STARK,CHRISTOPHER
 11:19:33 *RFT 1X13 Comment:INQUIRY MOBAE,21X1
 11:19:48 CLOS MSCHM001/SC31 21T1 Location:DIABLO/FRONQ Comment:DRIVER UNRESPONSIVE
 11:19:51 *BACKER 77142/L08 18X41 UnitID:21T1 Location:DIABLO/FRONQ Operator:77142
 OperNames:WHITE,KEVIN
 11:19:51 *RFT 18X41 Comment:INQUIRY MOBAE,21T1
 11:20:03 BACKER MSCHM001/SC31 1W23 UnitID:21X1 Location:NB FRONT APPG E PROSPEC Operator:51229
 OperNames:BARDEN,TIM
 11:20:03 MISCN 69651/SC33 Comment:SRVF ER
 11:20:11 *CLEAR 77142/L08 18X41

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11:20:27 MISCN MSCHM001/SC31 21X1 Comment:DIABLO, W EL/Front INCLUDIN INTERSECTION FRONT ST BLOCED

11:20:40 BACKER 1X12 UnitID:21X1 Location:NB FRONT APPG E PROSPEC Operator:70766 OperNames:BULLARD, RAYMOND

11:21:12 MISCN 21W5 Comment:INVOKE PROTOCOL

11:21:25 MISCN 1W23 Comment:VAL DAN ON PRI 1S

11:21:35 MISCN 1W23 Comment:ADV MUIR SGT

11:21:50 INFO 64514/SC32 Location: [REDACTED] Type:PROM LocDesc:70 ft NE Name:AT&T MOBILITY [REDACTED] Phone:[REDACTED] Source:W911 LocDesc:btwn LAUREL DR and END Comment:RP HEARD SHOTS FIRED.RP ADVISED THERE IS POLICE ACTIVITY DOWNTOWN

11:21:50 ALI E911Phne: [REDACTED] E911Pilot: [REDACTED] E911Add: [REDACTED] DAN E911Subs:AT&T MOBILITY [REDACTED] E911Srce:W911 AliLong:- 122.000020 AliLatitude:37.82317000 AliElevatn:888 Uncertainty:1709 Confidence:100

11:21:50 ALIGEO GeoLong:-122.000020 GeoLat:37.82317000 ClosestAdd:226 ROSE ST AddDesc:70 ft NE ClosestInt:ROSE ST / DIABLO RD InterDesc:116 ft N Area1:4010 Area2:SRV 24

11:22:04 *BACKER MO204/MOR142 16X31 UnitID:21W5 Location:PRINCETON Operator:MO204 OperNames:HERNANDEZ, FABIOLA

11:22:04 *RFT 16X31 Comment:INQUIRY MOBAE, 21W5

11:22:23 MISCN MSCHM001/SC31 21X3 Comment:UNDER FREEWAY ON LAUREL. THREW SOMETHING OUT, UNIT THERE

11:22:35 MISCN 21T1 Comment:ENG 31 OS

11:22:43 CHGLOC 1X13 Location:UNDER THE FREEWAY/LAUREL

11:22:42 *ONSCN 80516/3509 1X11

11:22:50 MISCN MSCHM001/SC31 21W5 Comment:CPR IN PROGRESS, FIRE OS

11:23:07 MISCN 21W5 Comment:CHIEF NOTIFIED, WATCH COMMANDER AS WELL

11:24:32 MISCN 21W5 Comment:NEG INJURIES TO ANY OFFICERS

11:24:40 MISCN 21W5 Comment:1 DOWN WITH DSW'S

11:24:57 CLOS 1X11 Location:EL CERRO/DIABLO

11:25:02 CHGLOC 1X11 Location:FRONT/DIABLO

11:25:26 ONSCN 21W5

11:26:51 MISCN 67264/SC35 Comment:21A2, DSA PRESIDENT WELCH, LT FOLEY ADVD

11:27:12 XREF 69651/SC33 Service:P Incident:#P183070354 Type:STC Agency:SP

11:27:21 RFT MSCHM001/SC31 1W23 Repeat:Yes

11:27:21 INV 1W23 InvType:INVV Priority:1 Plate:[REDACTED] Category:V

11:27:21 RFT 1W23 Comment:INQUIRY Q..... [REDACTED]

11:27:29 RFT 1W23 Repeat:Yes

11:27:29 INV 1W23 InvType:INVV Priority:1 Plate:[REDACTED] Category:V

11:27:29 RFT 1W23 Comment:INQUIRY Q..... [REDACTED]

11:27:31 ONSCN 1W23

11:27:51 MISCN Comment:CTC - DWAY TO BEVMO NEEDS TO BE CLOSED

11:27:41 LOGM Message:991811031827024381 MessageType:Text Received:11/03/2018 11:27:35 Comment [REDACTED]

11:28:15 MISCN 21W5 Comment:XPORTING TO JOHN MUIR WCR C3

11:28:17 *ONSCN 76147/3500 1Y81

11:28:52 CHGLOC MSCHM001/SC31 21X2 Location:IN AMR

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11:29:19	RFT		<u>1W23</u> Repeat:Yes
11:29:19	INV		<u>1W23</u> InvType:INVV Priority:1 Plate: [REDACTED] Category:V
11:29:19	RFT		<u>1W23</u> Comment:INQUIRY Q..... [REDACTED]
11:29:26	RFT		<u>1W23</u> Repeat:Yes
11:29:26	INV		<u>1W23</u> InvType:INVV Priority:1 Plate: [REDACTED] Category:V
11:29:26	RFT		<u>1W23</u> Comment:INQUIRY Q..... [REDACTED]
11:29:35	RFT		<u>1W23</u> Repeat:Yes
11:29:35	INV		<u>1W23</u> InvType:INVV Priority:1 Plate: [REDACTED] Category:V
11:29:35	RFT		<u>1W23</u> Comment:INQUIRY Q..... [REDACTED]
11:29:32	LOGM		Message:991811031829024433 MessageType:Text Received:11/03/2018
			11:27:33 Comment:[REDACTED]
11:29:44	LOGM		Message:991811031829024434 MessageType:Text Received:11/03/2018
			11:29:56 Comment:[REDACTED]
11:29:53	LOGM		Message:991811031829024435 MessageType:Text Received:11/03/2018
			11:30:05 Comment:[REDACTED]
11:29:56	BACKER	69651/SC33	<u>1I10</u> UnitID:21W5 Location:PRINCETON Operator:56458
			OperNames:MARCHESE,KENNETH
11:30:01	LOGM	MSCHM001/SC31	Message:991811031830024438 MessageType:Text Received:11/03/2018
			11:30:14 Comment:[REDACTED]
11:30:05	MISCN	54431/HQ01	Comment:AS LOWDEN ADVD
11:30:19	CHGLOC	69651/SC33	<u>1I10</u> Location:DIABLO RD/FRONT ST, DAN
11:30:43	MISCN	MSCHM001/SC31	<u>21W5</u> Comment:HAVE DSA REP CALL ME
11:31:02	CLOS		<u>1X13</u> Location:UNDERPASS/LAUREL
11:31:17	BACKUP	67264/SC35	<u>21A2</u> UnitID:21W5 Location:PRINCETON Operator:69055
			OperNames:MUSE,DOUGLAS
11:31:17	BACKUP		<u>1W6</u> UnitID:21W5 Location:PRINCETON Operator:67056
			OperNames:FOLEY,MATT
11:31:32	MISCN	MSCHM001/SC31	<u>21X3</u> Comment:WHI POWDER THAT EXPLODED WHEN IT HIT THE GROUND
11:32:05	MISCN		<u>1W23</u> Comment:LIFT THE TONES
11:32:57	MISC	69651/SC33	Comment:*** PER SRVF, THEYRE XPORTING THE SUBJ TO SRRMC
11:33:04	CLOS	MSCHM001/SC31	<u>21X1</u> <u>1W23</u> <u>1Y81</u> <u>21T1</u> <u>21W5</u> Location:DIABLO/FRONT
11:33:51	*ONSCN	MO204/MOR142	<u>16X31</u>
11:33:57	ENRTE	MSCHM001/SC31	<u>1W6</u>
11:33:58	ENRTE		<u>21A2</u>
11:34:02	MISCN	54431/HQ01	Comment:DIRECTOR CORTES ADVD
11:34:22	PRMPT	MSCHM001/SC31	<u>16X31</u> Comment:Preempted and dispatched to call #P183070362
11:34:52	XREF		Service:P Incident:#P183070362 Type:OASST Agency:SP
11:35:08	CHGLOC		<u>1W6</u> Location:DIABLO/FRONT
11:35:18	CHGLOC		<u>21A2</u> Location:DIABLO/FRONT
11:35:26	CLOS		<u>21X3</u> Location:DIABLO/FRONT
11:36:11	CLOS		<u>21X2</u> Location:SRRMC
11:36:44	MISCN		<u>1X13</u> Comment:LOCATED WHI POWDER SUB, NO CONTAINER, GOING TO ATTEMPT TO COLLECT SUBSTANCE
11:36:57	MISCN		<u>1W23</u> Comment:ESTABLISH A PERIM THERE, CRIME SCENE TAPE AND STANDBY FOR LAB
11:37:09	MISCN	69651/SC33	Comment:1C6 ADVD ON 21
11:37:26	MISCN	MSCHM001/SC31	Comment:C33 INITIATED BY DISP AT 1116, WHEN UNIT ADVD VEH FLEEING

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11:37:31 MISCN 54431/HQ01 Comment:PER LT FOLEY, START RESERVES FOR SECURITY,
 11:38:46 MISCN 67264/SC35 Comment:LT WESTERMANN ADVD
 11:39:10 CHGLOC MSCHM001/SC31 1X12 Location:PD DAN POLICE DEPARTMENT, DAN Comment:WITH OFCR HALL
 11:39:00 LOGM 1X12 Message:991811031839024608 MessageType:Text
 Received:11/03/2018 11:38:34 Comment:49 TO DAN PD WITH OFCR HALL
 11:40:31 BACKER 69651/SC33 1L17 UnitID:1I10 Location:DIABLO RD/Front ST, DAN Operator:75420
 OperNames:KIM,HELEN
 11:41:22 MISCN 54431/HQ01 Comment:DA PAUL MULLIGAN ADVD WILL CALL 21W5
 11:42:34 *ONSCN 70766/3513 1X12
 11:42:34 *OK 1X12
 11:42:59 MISCN 54431/HQ01 Comment:SGT WILLIAMS ADVD FOR RESERVES
 11:45:00 MISCN MSCHM001/SC31 1X13 Comment:UNDERPASS AT LAUREL CLOSED AND TAPED OFF
 11:45:24 MISCN 67264/SC35 Comment:SGTS SULLIVAN AND SLIGER CALLED, MESSAGES LEFT
 11:46:59 BACKER 54431/HQ01 1V30 UnitID:21A2 Location:DIABLO/Front Operator:63757
 OperNames:WILLIAMS,JAMIE
 11:49:06 BACKER 68973/SC24 1A52 UnitID:1W6 Location:DIABLO/Front Operator:69567
 OperNames:SLIGER,BRIAN
 11:49:33 *BACKER 78130/3793 MAR6 UnitID:21X1 Location:DIABLO/Front Operator:72327 76605 78130
 OperNames:THOLBORN,CASEY; LEE,WAYNE; SEVERS,ZEKE
 11:49:44 MISCN MSCHM001/SC31 1W23 Comment:RESERVE UNIT, TO W EL/ DIABLO
 11:49:53 CHGLOC 68973/SC24 1A52 Location:PD DAN POLICE DEPARTMENT, DAN
 11:49:53 BACKER MSCHM001/SC31 18R4 UnitID:21X1 Location:W EL/DIABLO Operator:R4816
 OperNames:BRIGHTBILL,THOMAS
 11:51:58 MISCN 1W23 Comment:CALLING IN DANVILLE GRAVES
 11:53:51 MISCN Comment:TO CLARIFY 21W5 ADVD OF 1 WITH *GSWS* AT 1124
 11:55:54 BACKER 61118/SC26 1W2 UnitID:21X2 Location:SRRMC Operator:52011
 OperNames:BORBELY,STEPHEN
 11:57:02 MISCN MSCHM001/SC31 1W23 Comment:INCOMING UNITS COME UP HARTZ AND COME UP TO DIABLO AND
 FRONT, TO STAGE
 11:57:34 MISCN 1W23 Comment:NEED 5 SEQUESTERED INCLUDING OFCR INVOLVED, 6 TOTAL
 11:57:45 BACKER 67264/SC35 1I12 UnitID:1L17 Location:DIABLO RD/Front ST, DAN Operator:77156
 OperNames:INGERSOLL,MATTHEW
 11:57:58 MISCN MSCHM001/SC31 1W23 Comment:1 HAS ALREADY BEEN SEQUESTERED
 11:58:09 MISCN 1W23 Comment:NEED PUB WORK WITH BARRICADES AND CONES, ABOUT 200
 11:58:20 MISCN 54431/HQ01 Comment:1I10 ADVD OF 6 TO BE SEQUESTERED
 11:58:21 MISCN MSCHM001/SC31 1W23 Comment:REQ A DRONE
 11:59:37 MISCN 1W23 Comment:BARRICADES FOR HARD CLOSURE
 12:00:59 MISCN 1W23 Comment:HAVE HER STANBY ILL SEND A UNIT TO TALK TO HER
 12:01:46 XREF 78461/SC22 Service:F Incident:#F183070006 Type:LGOV Agency:CF
 12:02:28 MISCN 54431/HQ01 1W23 Comment:3 ADDITIONAL CIVILIAN WITNESSES TO BE SEQUESTERED
 12:03:31 MISCN 1W23 Comment:NEED 4 RESERVES, LIGHT TRAILER AND PORTA POTTIES
 12:03:33 MISCN MSCHM001/SC31 1W23 Comment:4 INTERSECTIONS ON HARD CLOSURE
 12:04:21 CHGLOC 78461/SC22 21A2 Location:PD DAN POLICE DEPARTMENT, DAN
 12:04:25 MISCN 54431/HQ01 Comment:1I10 ADVD OF INFO FOR SEQUESTERED
 12:04:37 OK RFENT001/SC36 21X2
 12:04:42 MISCN 54431/HQ01 Comment:SGT WILLIAMS ADVD REGARDING RESERVE INFO, 4 INTERSECTIONS
 FOR HARD CLOSURES
 12:07:46 ONSCN MSCHM001/SC31 18R4

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12:12:01	BACKER	64514/SC32	<u>1Y91</u> UnitID:1W23 Location:DIABLO/Front Operator:KSHEP001 OperNames:SHEPPARD,KEITH
12:12:15	MISCN		<u>1W23</u> Comment:COME ON THE BLVD AND UP DIABLO
12:14:29	MISCN		<u>1W23</u> Comment:THE CP DIABLO/Front IFO BEVMO
12:15:20	BACKER	69651/SC33	<u>1I14</u> UnitID:1I10 Location:DIABLO RD/Front ST, DAN Operator:70699 OperNames:JACQUEZ,CHARLENE
12:15:41	BACKER		<u>1I13</u> UnitID:1I14 Location:DIABLO RD/Front ST, DAN Operator:65348 OperNames:MORRIS,NELLY
12:17:56	MISCN	64514/SC32	<u>1W23</u> Comment:PDRC ON SCENE
12:19:38	BACKER		<u>18X41</u> UnitID:1W23 Location:DIABLO/Front Operator:77142 OperNames:WHITE,KEVIN
12:20:19	CASE	54431/HQ01	Case#:SP180014203
12:21:05	TRANSP	64514/SC32	<u>18R4</u> Location:HARTZ WY/Front ST, DAN Comment:W 2X'S
12:21:28	BACKOS		<u>1A1</u> UnitID:21X1 Location:DIABLO/Front Operator:DLIVI OperNames:LIVINGSTON,DAVID
12:24:47	MISCN		<u>1W23</u> Comment:T31 ENGINE 31 SRVF
12:25:59	CMPLT		<u>18R4</u> Comment:Front/E PROSP
12:26:59	MISCN		<u>1Y81</u> Comment:MEDIA 97
12:27:55	COMBIN		Service:P Incident:#P183070354 Type:STC Agency:SP
12:28:18	BACKER	RFENT001/SC36	<u>21I1</u> UnitID:1X12 Location:PD DAN POLICE DEPARTMENT, DAN Operator:54958 OperNames:HOEKWATER,RONALD
12:29:09	*ONSCN	78130/3793	<u>MAR6</u>
12:31:34	CHGLOC	64514/SC32	<u>18X41</u> Location:Front ST/DIABLO RD, DAN
12:32:13	*BACKER	70625/D2143	<u>21W1</u> UnitID:1W23 Location:DIABLO/Front Operator:70625 OperNames:JENSEN,ANDREW
12:32:45	ONSCN	64514/SC32	<u>1W6</u>
12:32:58	BACKOS	RFENT001/SC36	<u>1I32</u> UnitID:1I10 Location:DIABLO RD/Front ST, DAN Operator:69017 OperNames:VU,MINH
12:34:12	BACKER	64514/SC32	<u>1M11</u> UnitID:1W23 Location:DIABLO/Front Operator:R4551 OperNames:SILVEIRA,MARC
12:36:19	BACKER		<u>1I71</u> UnitID:21X1 Location:DIABLO/Front Operator:60628 OperNames:ALLEN,TIMOTHY
12:36:26	ONSCN		<u>1Y91</u>
12:36:50	*ONSCN	77142/L08	<u>18X41</u>
12:37:39	*ONSCN	70625/D2143	<u>21W1</u>
12:38:33	BACKER	64514/SC32	<u>21P3</u> UnitID:21X1 Location:DIABLO/Front Operator:78471 OperNames:RHOTON,KYLE
12:39:49	MISC	RFENT001/SC36	Comment: [REDACTED] AT [REDACTED] ADVG SHE WAS A WITNESS & IS AVAIL FOR CONT IF NEEDED
12:40:13	CLOS	64514/SC32	<u>1A1</u> Location:PD DAN POLICE DEPARTMENT, DAN
12:40:24	BACKER		<u>18M6</u> UnitID:21X1 Location:DIABLO/Front Operator:R4455 OperNames:COMLY,JAMES
12:41:05	OK		<u>1A1</u>
12:42:40	*ONSCN	78471/D2135	<u>21P3</u>
12:42:43	*OK		<u>21P3</u>
12:48:42	*CLEAR		<u>21P3</u>
12:52:16	ONSCN	64514/SC32	<u>1I14</u>
12:53:06	MISCN		<u>18M6</u> Comment:CONFIRMING DRONE LAUNCHED

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12:55:08 MISCN 21W1 Comment:ANYONE RESPONDING TO THE SCENE CHECK IN W/DEP SHEVERS
 12:55:29 ONSCN 1I12
 12:57:16 ONSCN MSCHM001/SC31 1X11
 12:57:25 ONSCN 18M6
 12:57:43 TRANSP 1X11 Location: [REDACTED] DAN Mileage:0.0 Comment:SGT AWARE
 12:58:06 LOGM Message:991811031958025439 MessageType:Text Received:11/03/2018
 12:57:06 Comment:COURTESY XPORT OF XRAY FOR 1X11
 12:59:10 BACKOS RFENT001/SC36 21S1 UnitID:1X12 Location:PD DAN POLICE DEPARTMENT, DAN
 Operator:50977 OperNames:LANG,JAMES
 12:59:10 BACKOS 21S2 UnitID:1X12 Location:PD DAN POLICE DEPARTMENT, DAN
 Operator:79844 OperNames:LEMAS,LAUREN
 12:59:15 OK 21S1 21S2
 13:00:48 *CLEAR 77142/L08 18X41
 13:01:54 ONSCN 67264/SC35 21A2
 13:02:26 MISCN 54431/HQ01 1V30 Comment:3 RESERVES WILL BE ENR, 2 SAR WILL BE ENR WITH LIGHT
 TRAILER AND PORTAPOTTIES, 1W23 AWARE.
 13:02:28 CLEAR 1V30
 13:03:29 MISCN 64514/SC32 1W6 Comment:W EL PINT SB FROM EL CERRO
 13:03:38 MISCN 1W6 Comment:ROAD SHUT DOWN
 13:04:13 CMPLT 1X11 Mileage:1.0
 13:04:03 LOGM 1X11 Message:991811032004025489 MessageType:Text
 Received:11/03/2018 13:04:07 Comment:LOGM
 13:04:52 BACKER RFENT001/SC36 1L25 UnitID:1I13 Location:DIABLO RD/FRONT ST, DAN Operator:71133
 OperNames:ESTRADA,JOHANNA
 13:04:52 BACKER 1L24 UnitID:1I13 Location:DIABLO RD/FRONT ST, DAN Operator:84420
 OperNames:MERTZ,JENNIFER
 13:06:00 CHGLOC 64514/SC32 1X11 Location:DIABLO RD/FRONT ST, DAN
 13:06:28 *ONSCN 80516/3509 1X11
 13:06:29 *OK 1X11
 13:06:50 BACKER RFENT001/SC36 21S3 UnitID:1I12 Location:DIABLO RD/FRONT ST, DAN Operator:VBARB001
 OperNames:BARBERO,VINCENT
 13:07:09 CHGLOC 21S1 21S2 Location:DIABLO RD/FRONT ST, DAN
 13:07:26 BACKER 21R5 UnitID:21S1 Location:DIABLO RD/FRONT ST, DAN Operator:R4617
 OperNames:YOUNG,CHRISTOPHER
 13:08:30 *RFT 70625/D2143 21W1 Comment:INQUIRY MQW,02091985,ARBOLEDA,LAUDEMER,M,...,
 13:08:30 *RFT 21W1 Comment:INQUIRY Q,ARBOLEDA,LAUDEMER,M,19850209,.....
 13:09:55 BACKUP 67264/SC35 21Y2 UnitID:21A2 Location:PD DAN POLICE DEPARTMENT, DAN
 Operator:77476 OperNames:MURILLO,VALERIE Comment:DRIVING TIME FROM
 DIXON
 13:10:23 TRANSP 64514/SC32 1W6 Location:PD DAN POLICE DEPARTMENT, DAN Comment:TRANSPORTING SGT
 MARTIN AND DEP CARUSSO TO DAN PD
 13:12:14 TRANSP 1X11 Location:PD DAN POLICE DEPARTMENT, DAN
 13:13:01 LOGM 1X11 Message:991811032013025594 MessageType:Text
 Received:11/03/2018 13:12:05 Comment:LOGM
 13:14:00 *BACKER 66727/2133 1J20 UnitID:1W23 Location:DIABLO/FRONT Operator:66727
 OperNames:TERRILL,LEVI
 13:14:00 *RFT 1J20 Comment:INQUIRY MOBAE,1W23
 13:14:43 *BACKER 65812/3607 1K92 UnitID:1J20 Location:DIABLO/FRONT Operator:65812 65812K 73504

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 CUSTODIAN OF RECORDS 12/11/18 DATE

13:14:43 *RFT 1K92 Comment:INQUIRY MOBAE,1J20
 13:16:31 *OK 66727/2133 1J20
 13:16:57 BACKOS 64514/SC32 1I50 UnitID:1I12 Location:DIABLO RD/FRONT ST, DAN Operator:52142
 OperNames:BAILEY,LAURIE
 13:17:13 ONSCN 1I71
 13:19:28 *BACKOS 75634/D21K94 21K94 UnitID:21R5 Location:DIABLO RD/FRONT ST, DAN Operator:75634
 75634K OperNames:NEABEACK,EMILY; AIK
 13:20:23 ONSCN 64514/SC32 21S2 21S3
 13:20:32 ONSCN 21S1
 13:20:38 OK 67264/SC35 21R5 21S1 21S2 21S3
 13:22:16 OK 21A2
 13:25:43 *CLEAR 66727/2133 1J20
 13:27:37 *CLEAR 65812/3607 1K92
 13:29:39 MISCN MSCHM001/SC31 21W1 Comment:TAKING OVER AS IOC FOR 1W23
 13:30:54 MISCN 21W1 Comment:**IC**
 13:32:13 *CLEAR 76147/3500 1Y81
 13:32:55 PRMPT MSCHM001/SC31 21S2 Comment:Preempted and dispatched to call #P183070310
 13:33:23 OK 68973/SC24 1A52
 13:33:52 MISCN 1A52 Comment:NEED BAD TECH
 13:33:59 ENRTE MSCHM001/SC31 21Y2
 13:34:02 LOGM 1X11 Message:991811032034025831 MessageType:Text
 Received:11/03/2018 13:34:09 Comment:97
 13:34:26 CMPLT 1X11
 13:34:28 XREF 68973/SC24 Service:F Incident:#F183070008 Type:BAD Agency:CF
 13:34:29 OK MSCHM001/SC31 1X11
 13:35:12 MISC 68973/SC24 Comment:CML ADV
 13:41:46 MISCN MSCHM001/SC31 1W6 Comment:LAF AND MUJR ON PRI 1'S STILL
 13:42:18 *CLEAR 50977/D2136 21S1
 13:42:46 CMPLT MSCHM001/SC31 1W6
 13:42:54 CLOS 1W6 Location:DIABLO/FRONT
 13:43:42 MISCN 1W6 Comment:**CLARIFICTION LAF AND MUJR ARE OFF PRI 1'S**
 13:47:33 ONSCN 78461/SC22 1I50
 13:50:46 *CLEAR KSHEP001/3517 1Y91
 13:56:12 MISCN 78461/SC22 21W1 Comment:OFCR BARBERO HAS THE LOG AND CONDUCTING ENTRY/EXIT
 PERMISSONS
 14:03:13 BACKER 60342/SC25 23I6 UnitID:1I14 Location:DIABLO RD/FRONT ST, DAN Operator:77482
 OperNames:CAI,DENNY
 14:10:34 BACKER 69651/SC33 1C3 UnitID:21X1 Location:DIABLO/FRONT Operator:66457
 OperNames:HOFFMAN,KEVIN
 14:12:42 OK 60342/SC25 21Y2
 14:13:55 BACKOS 21Q117 UnitID:21R5 Location:DIABLO RD/FRONT ST, DAN Operator:SA164
 OperNames:WALKER,MARK
 14:13:59 OK 21Q117
 14:14:09 CLOS 78461/SC22 1W6 Location:SAN RAMON REGIONAL MED CENTER, SRA
 14:18:37 CLOS 23I6 Location:PD DAN POLICE DEPARTMENT, DAN
 14:21:51 BACKER 1I55 UnitID:21T1 Location:DIABLO/FRONT Operator:70072
 OperNames:ELLIS,CHRISTOPHER

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14:22:04	CHGLOC	<u>1I55</u> Location:SAN RAMON REGIONAL MED CENTER, SRA
14:25:16	BACKER 69651/SC33	<u>18I11</u> UnitID:1I50 Location:DIABLO RD/Front ST, DAN Operator:75046 OperNames:MARSHALL,MICHAEL
14:25:28	MISCN 78461/SC22	<u>1W23</u> Comment:SEE IF CHP WILL RESP FOR THE TC
14:27:01	CLEAR 60342/SC25	<u>1C3</u>
14:27:53	CLOS 78461/SC22	<u>1X12</u> Location:SAN RAMON REGIONAL MED CENTER, SRA
14:27:53	OK	<u>1X12</u>
14:28:03	OK	<u>1X13</u>
14:28:07	OK	<u>1W23</u>
14:28:10	OK	<u>1W6</u>
14:28:21	OK	<u>21X1</u> <u>MAR6</u> <u>1I12</u> <u>1I14</u> <u>1I32</u> <u>1I50</u> <u>1I71</u>
14:29:05	OK	<u>18M6</u> <u>18R4</u> <u>21K94</u> <u>21T1</u> <u>21W1</u> <u>21W5</u>
14:29:08	OK	<u>21X3</u>
14:29:11	OK	<u>23I6</u>
14:29:59	MISCN	Comment:1039 CHP
14:33:30	*CLEAR 80516/3509	<u>1X11</u>
14:40:54	CHGLOC 78461/SC22	<u>1W6</u> Location:DIABLO RD/Front ST, DAN
14:40:59	CHGLOC	<u>21X2</u> Location:DIABLO RD/Front ST, DAN
14:49:40	*ONSCN 67056/1332	<u>1W6</u>
14:49:41	*OK	<u>1W6</u>
14:50:23	*CHGLOC	<u>1W6</u> Location:DANVILLE PD
15:01:02	CLOS 78461/SC22	<u>1W23</u> Location:PD DAN POLICE DEPARTMENT, DAN
15:01:03	OK	<u>1W23</u>
15:01:40	BACKER	<u>18X41</u> UnitID:21T1 Location:DIABLO/Front Operator:77142 OperNames:WHITE,KEVIN
15:01:54	CHGLOC	<u>18X41</u> Location:SAN RAMON REGIONAL MED CENTER, SRA
15:03:55	CLOS	<u>1X13</u> Location:SO VALLEY STATION, ALA
15:03:57	OK	<u>1X13</u>
15:07:55	BACKOS 69651/SC33	<u>1I23</u> UnitID:1I10 Location:PD DAN POLICE DEPARTMENT, DAN Operator:70634 OperNames:YOUNG,TIMOTHY
15:07:56	OK	<u>1I23</u>
15:08:23	PRMPT 78461/SC22	<u>1X12</u> Comment:Preempted and dispatched to call #P183070482
15:08:31	BACKOS	<u>1X12</u> UnitID:1X13 Location:SO VALLEY STATION, ALA Operator:70766 OperNames:BULLARD,RAYMOND
15:08:35	CLOS	<u>1X12</u> Location:PD DAN POLICE DEPARTMENT, DAN
15:08:36	OK	<u>1X12</u>
15:13:03	BACKOS	<u>21S2</u> UnitID:21T1 Location:DIABLO/Front Operator:79844 OperNames:LEMAS,LAUREN
15:13:07	CLOS	<u>21S2</u> Location:DIABLO RD/Front ST, DAN
15:13:18	OK	<u>21S2</u>
15:16:15	*ONSCN 77142/L08	<u>18X41</u>
15:16:16	*OK	<u>18X41</u>
15:27:48	COMBIN 78461/SC22	Service:P Incident:#P183070506 Type:WC Agency:SP Comment:SAME DETAIL
15:27:53	MISCN	<u>1X12</u> Comment:WE'RE OUT W/HER
15:27:54	OK	<u>1X12</u>
15:28:06	COMBIN	Service:P Incident:#P183070510 Type:WC Agency:SP Comment:UNITS ARE OUT W/THIS SUBJ

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15:32:44	MISCN	Comment:CORRECTION-DISREGARD LAST SUPP
15:34:44	BACKER 45011/SC34	<u>21S1</u> UnitID:21W1 Location:DIABLO/FRONT Operator:50977 OperNames:LANG,JAMES
15:38:12	BACKER	<u>21P3</u> UnitID:21S1 Location:DIABLO/FRONT Operator:78471 OperNames:RHOTON,KYLE
15:38:26	CHGLOC	<u>21P3</u> Location:FRONT ST/E PROSPECT AV, DAN
15:41:30	OK 60342/SC25	<u>1I55</u>
15:44:52	*CLEAR 78130/3793	<u>MAR6</u>
15:45:57	*ONSCN 67056/1332	<u>1W6</u>
15:46:01	OK 69651/SC33	<u>1W6</u>
15:46:53	*CLEAR 77142/L08	<u>18X41</u>
15:50:15	*ONSCN 78471/D2135	<u>21P3</u>
15:50:16	*OK	<u>21P3</u>
15:53:34	TRANSP 79577/SC35	<u>18R4</u> Location:UNK ADDR ON DIABLO RD Mileage:64.6 Comment:W/ 2, 1 XRAY
15:53:58	MISCN	Comment:18W7 COPIES
15:56:40	PRMPT	<u>21I1</u> Comment:Preempted and dispatched to call #P183070529
15:58:11	CHGLOC	<u>18M6</u> Location:PD LAF POLICE DEPARTMENT, LAF
15:58:44	PRMPT	<u>18M6</u> Comment:Preempted and dispatched to call type: 19
15:59:34	BACKOS	<u>21I1</u> Operator:54958 OperNames:HOEKWATER,RONALD Comment:11 ADDED IN ERR
16:00:02	*CLEAR CSTAR001/3307	<u>1X13</u>
16:01:37	*CLEAR 70766/3513	<u>1X12</u>
16:01:55	CMPLT 69651/SC33	<u>18R4</u> Mileage:64.7
16:02:55	CLOS	<u>21I1</u> Location:PD DAN POLICE DEPARTMENT, DAN
16:02:56	OK	<u>21I1</u>
16:05:10	*RFT 70625/D2143	<u>21W1</u> Comment:INQUIRY MQV, [REDACTED],
16:05:10	*RFT	<u>21W1</u> Comment:INQUIRY Q, [REDACTED],
16:14:38	*CLEAR 67056/1332	<u>1W6</u>
16:18:47	PRMPT 69651/SC33	<u>21P3</u> Comment:Preempted and dispatched to call #P183070544
16:19:03	RFT 54958/DIN5	<u>21X2</u> Comment:INQUIRY QW, [REDACTED], ARBOLEDA, LAUDEMER, M, 02091985,,
16:20:12	OK 69651/SC33	<u>18R4</u>
16:20:18	CHGLOC	<u>18R4</u> Location:PD LAF POLICE DEPARTMENT, LAF
16:24:15	*CHGLOC 51229/3404	<u>1W23</u> Location:VAL STA
16:25:10	*CLEAR	<u>1W23</u>
16:29:16	CLEAR 69651/SC33	<u>18R4</u>
16:32:43	SCDOFF 79577/SC35	<u>1M11</u>
16:32:45	CLEAR	<u>1M11</u>
16:47:16	MISCN RFENT001/SC36	<u>1I71</u> Comment:NEED EVID TOW TO THIS LOC, IF THEY ARE COMING FRM 680, TAKE DIABLO & COME DOWN TO FRONT STREET & WE'LL LET THEM IN, NEEDS TO BE FLATBED & WILL BE STORED INDOOR
16:48:58	MISCN	Comment:1039 SAVE TOW
16:59:24	*CLEAR 75634/D21K94	<u>21K94</u>
17:10:35	CLOS RFENT001/SC36	<u>1I10</u> Location:PD DAN POLICE DEPARTMENT, DAN
17:10:36	OK	<u>1I10</u>
17:12:38	CLOS 69651/SC33	<u>1I14</u> Location:68 COTTAGE PL, DAN
17:12:39	OK	<u>1I14</u>

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17:12:51 MISCN RFENT001/SC36 1110 Comment:CONT NEWARK PD & SAN LORENZO PD, CHK FOR PRIOR CONTACTS W/LAUDEMER ATIENZA ARBOLEDA DL [REDACTED]

17:14:03 MISCN 78461/SC22 1171 Comment:EVIDENCE TOW IS 97

17:15:15 MISCN 69651/SC33 21W1 Comment:ANOTHER ROTOTOW FOR ADDTL VEH

17:15:20 RFT 21W1 Repeat:Yes

17:15:20 INV 21W1 InvType:INVV Priority:1 Plate:[REDACTED] Category:V

17:15:20 RFT 21W1 Comment:INQUIRY Q,..... [REDACTED]

17:15:33 MISCN 21W1 Comment:TO FRONT / DIABLO . HAVE THEM COME IN THRU THE DIABLO SIDE FROM THE FWY

17:15:54 LOGM Message:991811040015000297 MessageType:Text Received:11/03/2018

17:16:02 Comment:28

17:16:28 REQUEST 21W1 Rtype:T Community:DAN -Community:DAN -Company:SAVDAN - Location:68 COTTAGE PL, DAN

17:17:15 *MISCN 70625/D2143 21W1 Comment:defibrillator, crime scene bag and trauma kits collected and placed into 2143

17:17:45 FAIL 69651/SC33 21W1 Rtype:T Company:SAVDAN FailReason:NO Comment:TAKING THE 1ST TOW AND THEIR OTHER TK IS IN LIVERMORE

17:17:49 REQUEST 21W1 Rtype:T Community:DAN -Community:DAN -Company:SRADAN - Location:68 COTTAGE PL, DAN

17:17:58 FAIL 21W1 Rtype:T Company:SRADAN FailReason:NO Comment:TAKING THE 1ST TOW AND THEIR OTHER TK IS IN LIVERMORE

17:18:01 REQUEST 21W1 Rtype:T Community:DAN -Community:DAN -Company:AMSDAN - Location:68 COTTAGE PL, DAN

17:19:58 FAIL 21W1 Rtype:T Company:AMSDAN FailReason:NA Comment:NO ANSWER / MULT ATTEMPTS

17:20:27 MISCN RFENT001/SC36 Comment:PER NEWARK PD, SUBJ IS DIAGNOSED W/ SCHIZOPHRENIA & PARANOIA, LAST CONT WAS 11/1, HE WAS GOING DOOR TO DOOR, CALL WAS A WC AS HE APPEARED TO HAVE MH ISSUES, HE RAN FRM PD OS INTO AN APT COMPLEX BUT THEY DID NOT HAVE A WANT SO THEY DID NOT PURSUE, ON 10/5 NEWARK WENT W/ALCO CRISIS RESPONSE TEAM TO EVAL HIM FOR 5150, JUMPED OUT OF THE COMPLEX & WAS LS DRIVING OUT OF THE COMPLEX IN THE HONDA CIVIC FRM TODAY, ALSO OUT TO HIS RESD MULT TIMES FOR "ODD BEHAVIOR" BUT NEVER MET 5150 CRITERIA, HAD BEEN 5150'D IN THE PAST ON 04/11/18, SUSP IN A 422 ON 9/16/18

17:21:15 MISCN 69651/SC33 21S1 Comment:2ND TOW FOR THE VIC VEH

17:21:19 MISCN 21S1 Comment:22 THAT

17:24:24 MISCN RFENT001/SC36 Comment:PER ALCO SO, NO CONTS W/THE SUBJ IN THE LAST YEAR

17:25:11 MISCN 69651/SC33 21W1 Comment:OK TO CALL GOLDEN STATE FLEET FOR THAT OTHER TOW

17:25:21 MISCN Comment:GOLDEN STATE FLEET SVCS HAS A TOW ER

17:31:45 *RFT 50977/D2136 21S1 Comment:INQUIRY MQV [REDACTED] ...

17:31:45 *RFT 21S1 Comment:INQUIRY Q,..... [REDACTED]

17:32:13 CHGLOC 78461/SC22 1171 Location:2099 ARNOLD INDUSTRIAL WY, CON Comment:FOLLOWING THE TOW

17:34:29 MISCN 1171 Comment:REQ SOMEONE COME AND UNLOCK SUITE C FOR US.

17:34:45 MISCN Comment:UTL RICH WARA, TRYING ANGEL COMMISKEY

17:35:01 MISCN 69651/SC33 21W1 Comment:WILL BE TERMINATING THE LOG

17:35:02 MISCN RFENT001/SC36 Comment:1039 TO 1110 W/PRIOR CONT INFO FRM NEWARK PD

17:36:55 MISCN 78461/SC22 Comment:PER ANGEL, MUIR SGT SHOULD HAVE THE KEY TO UNIT C ONLY

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12/11/2018 2:11:18
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WILL GIVE HIM A 1021
 17:38:24 MISC Comment:1039 1W40, HE WILL HAVE IT OPENED
 17:52:46 SCDOFF MMALI001/SC33 21R5
 17:52:49 CLEAR 21R5
 17:54:08 CLOS ALUBE001/SC21 1L17 1L24 1L25 Location:SO FORENSIC SCIENCES, MAR
 17:54:21 OK 1L17 1L24 1L25
 17:55:04 BACKER MMALI001/SC33 1X22 UnitID:21I1 Location:PD DAN POLICE DEPARTMENT, DAN
 Operator:71130 OperNames:SHIELDS,CASEY
 17:59:20 CLEAR TSTEP001/SC26 21W5 21X2
 18:00:56 OK 1I71
 18:01:26 CONTACT RFENT001/SC36 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I32 1I50 Contact:0
 18:01:26 CONTACT 1I55 1I71 1L17 1L24 1L25 1W2 1X22 18I11 21A2 21I1 Contact:0
 18:01:26 CONTACT 21Q117 21S1 21S2 21S3 21T1 21W1 21X3 21Y2 23I6 Contact:0
 18:02:29 *CLEAR 71130/3627 1X22
 18:03:26 OK RFENT001/SC36 1I13
 18:03:32 OK 21S1
 18:03:39 OK 1W2
 18:06:03 MISCN 45011/SC34 21S1 Comment:ENTER A SILVER 2006 JEEP LOREDO LC [REDACTED] VIN
 [REDACTED] AUTH/22651A GOLDEN STATE FLEET SVC 925 831 1929
 18:06:42 MISCN RFENT001/SC36 21W1 Comment:ALL ROAD CLOSURES HAVE BEEN LIFTED, ALL ROADS ARE OPEN
 18:07:03 CHGLOC 21W1 Location:PD DAN POLICE DEPARTMENT, DAN
 18:10:56 CONTACT 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I32 1I50 Contact:0
 18:10:56 CONTACT 1I55 1I71 1L17 1L24 1L25 1W2 18I11 21A2 21I1 21Q117 Contact:0
 18:10:56 CONTACT 21S1 21S2 21S3 21T1 21W1 21X3 21Y2 23I6 Contact:0
 18:13:22 LOGM 45011/SC34 Message:991811040113000733 MessageType:Text Received:11/03/2018
 18:13:24 Comment:LOGM
 18:14:02 MISCN MMALI001/SC33 Comment:2ND CK OK
 18:16:30 XREF TSTEP001/SC26 Service:P Incident:#P183070640 Type:1021 Agency:SP
 18:17:02 CLEAR 61781/SC32 21Q117
 18:25:58 CLEAR RFENT001/SC36 21W1
 18:26:02 CLEAR 21S1
 18:27:15 CLOS 18I11 Location:SAN RAMON REGIONAL MED CENTER, SRA
 18:27:18 OK 18I11
 18:32:36 CONTACT 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I32 1I50 Contact:0
 18:32:36 CONTACT 1I55 1I71 1L17 1L24 1L25 1W2 18I11 21A2 21I1 21S2 Contact:0
 18:32:36 CONTACT 21S3 21T1 21X3 21Y2 23I6 Contact:0
 18:34:57 CLOS 18I11 Location:SRA VAL FIRE DEPT
 18:35:01 OK 18I11
 18:40:13 CONTACT 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I32 1I50 Contact:0
 18:40:13 CONTACT 1I55 1I71 1L17 1L24 1L25 1W2 18I11 21A2 21I1 21S2 Contact:0
 18:40:13 CONTACT 21S3 21T1 21X3 21Y2 23I6 Contact:0
 19:12:36 CLEAR 21S2 21S3 21X3 21Y2
 19:14:37 MISCN Comment:CHP'S LOG WAS 1860
 19:17:26 CLOS 1I12 1I13 Location:PD DAN POLICE DEPARTMENT, DAN Comment:VIA 1021
 19:17:29 OK 1I12 1I13
 19:18:13 CLOS 1I14 Location:PD DAN POLICE DEPARTMENT, DAN
 19:18:16 OK 1I14

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19:19:57 SCDOFF 60342/SC25 1I32
 19:20:01 CLEAR 1I32
 19:21:44 CLOS RFENT001/SC36 21T1 Location:PD DAN POLICE DEPARTMENT, DAN
 19:21:46 OK 21T1
 19:22:35 CONTCT 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I50 1I55 Contact:0
 19:22:35 CONTCT 1I71 1L17 1L24 1L25 1W2 18I11 21A2 21I1 21T1 23I6 Contact:0
 19:25:19 CLOS 21X1 Location:PD DAN POLICE DEPARTMENT, DAN Comment:PER 21W4
 19:25:21 OK 21X1
 19:29:32 LOGM 79577/SC35 1I71 Message:991811040229001785 MessageType:Text
 Received:11/03/2018 19:29:18 Comment:ENTER VEH AS EVID TOW
 19:30:39 CONTCT RFENT001/SC36 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I50 1I55 Contact:0
 19:30:39 CONTCT 1I71 1L17 1L24 1L25 1W2 18I11 21A2 21I1 21T1 23I6 Contact:0
 19:31:34 CLOS 1I71 Location:SO FOB FIELD OPERATIONS, MAR
 19:31:37 OK 1I71
 19:31:48 LOGM 79577/SC35 Message:991811040231001866 MessageType:Text Received:11/03/2018
 19:32:02 Comment:ENTRY
 19:36:45 CONTCT RFENT001/SC36 21X1 1A1 1A52 1I10 1I12 1I13 1I14 1I23 1I50 1I55 Contact:0
 19:36:45 CONTCT 1I71 1L17 1L24 1L25 1W2 18I11 21A2 21I1 21T1 23I6 Contact:0
 19:37:26 MISCN MSCHM001/SC31 Comment:2ND CK OK
 19:50:21 SCDOFF TSTEP001/SC26 1W2
 19:50:32 CLEAR 1W2
 19:53:32 XREF MMALI001/SC33 Service:P Incident:#P183070711 Type:1021 Agency:SP
 20:05:14 SCDOFF TSTEP001/SC26 18I11
 20:05:16 CLEAR 18I11
 20:17:34 SCDOFF 64163/SC24 1I71
 20:17:36 CLEAR 1I71
 20:30:21 SCDOFF 73455/SC22 1I23
 20:30:27 CLEAR 1I23
 20:54:08 SCDOFF MMALI001/SC33 1I50
 20:54:12 CLEAR 1I50
 21:17:24 CLEAR 61781/SC32 23I6
 21:24:26 CLEAR 79577/SC35 1I55
 22:11:14 CLEAR 61781/SC32 21A2 Type:SSUBJ-->245B Priority:1-->3 Dispo:RTF
 22:11:47 PRMPT 1A1 1A52
 22:12:00 SCDOFF 21I1
 22:12:03 CLEAR 21I1
 22:12:06 SCDOFF 21T1
 22:12:09 CLEAR 21T1
 22:14:47 PRMPT 1L17 1L24 1L25
 22:15:45 CLEAR 21X1
 23:03:04 SCDOFF MMALI001/SC33 1I10
 23:03:18 SCDOFF 1I12
 23:03:36 SCDOFF 1I14
 23:03:39 SCDOFF 1I13
 23:03:48 CLEAR 1I10
 23:03:50 CLEAR 1I12
 23:03:55 CLEAR 1I13

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23:03:58 CLEAR 1114

23:03:58 -CLEAR

23:03:58 CLOSE

[11/05/2018]

08:21:33 XREF ESANC001/SC21 Service:P Incident:#P183090175 Type:SUPP Agency:SP

08:23:16 -NPREMS Comment:(none)

12:23:32 MISCN 65394/SC35 Comment:PER 21X3: NEED CONTRACT TOW TO RESPOND TO PD TO TOW JEEP
SUV THAT IS IN THE BACK PLOT FOR EVIDENCE TOW..WILL BE TOWING IT TO
TOW YARD AT 3482 GOLDEN GATE WAY, LAF. HAVE TOW DRIVER COME INTO PD
WHEN 97

12:23:39 MISCN Comment:1039 TO SAVE TOW

12:23:52 -NPREMS Comment:(none)

CONTACT INFO:

Name	Phone	RPAddr	RPCnt?	Contact2	Contact3	AltPh#
CHP TRANS- [REDACTED]	[REDACTED]					
AT&T MOBILITY [REDACTED]	[REDACTED]					

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Olga Ferrer 12.11.18
CUSTODIAN OF RECORDS DATE

Detailed History for Police Incident #P183070711 As of 12/11/2018 10:27:27

Output for: 66677

Priority:3 Type:1021 - TELEPHONE CALL

Location:1C3

Created:	11/03/2018 19:49:45	SC33	MMALI001
Entered:	11/03/2018 19:50:08	SC33	MMALI001
Dispatch:	11/03/2018 21:02:10	SC26	TSTEP001
Enroute:	11/03/2018 21:02:10	SC26	TSTEP001
Onscene:	11/03/2018 21:02:10	SC26	TSTEP001
Closed:	11/03/2018 21:02:12	SC26	TSTEP001

ICUnit: PrimeUnit:1C3 Dispo:CON Type:1021 - TELEPHONE CALL

Agency:SP DAREA:COR(n/a) Beat: (n/a) RD: ☐ Detail

19:49:45 CREATE Location:1C3 Type:1021 Name: [REDACTED] Phone: [REDACTED] Description:TELEPHONE CALL Priority:3 LocType:0

19:50:08 ENTRY DAREA:None-->COR Agency:None-->SP Comment:RE IN 327

19:50:08 -NPREMS Comment:(none)

19:50:11 SELECT

19:50:42 NOMORE

19:51:15 HOLD

19:53:32 XREF Service:P Incident:#P183070327 Type:SSUBJ Agency:SP

20:37:58 SELECT

21:02:08 SELECT

21:02:10 DISPOS 1C3 Operator:66457 OperNames:HOFFMAN,KEVIN

21:02:10 -PRIU 1C3

21:02:12 CLEAR 1C3 Dispo:CON

21:02:12 -CLEAR

21:02:12 CLOSE

CONTACT INFO:

Name	Phone	RPaddr	RPCnt?	Contact2	Contact3	AltPh#
[REDACTED]	[REDACTED]					

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Detailed History for Police Incident #P183070640 As of 12/11/2018 10:27:40

Output for: 66677

Priority:3 Type:1021 - TELEPHONE CALL

Location:68 COTTAGE PL, DAN btwn LAUREL DR and END

Map:653A2

Created:	11/03/2018 18:14:19	SC26	TSTEP001
Entered:	11/03/2018 18:16:22	SC26	TSTEP001
Dispatch:	11/03/2018 18:17:59	SC26	TSTEP001
Enroute:	11/03/2018 18:17:59	SC26	TSTEP001
Onscene:	11/03/2018 18:17:59	SC26	TSTEP001
Closed:	11/03/2018 18:18:04	SC26	TSTEP001

ICUnit: PrimeUnit:1C3 Dispo:CON Type:1021 - TELEPHONE CALL

Agency:SP DAREA:COR(DAN) Beat:61 RD:4059 ☒ Detail

18:14:19 CREATE TSTEP001/SC26 Location:68 COTTAGE PL, DAN Type:1021 Name:INGERSOLL Phone: [REDACTED]
 [REDACTED] DAREA:DAN RD:4059 Description:TELEPHONE CALL LocDesc:btwn
 LAUREL DR and END Priority:3 Agency:SP Map:653A2 LocType:S RPCnt?:T

18:16:22 ENTRY DAREA:DAN->COR Comment:RPT 1055 - INGERSOLL STEPPING INTO INTERVIEW
 SOON, IF HE DOESN'T ANSWER CONTACT MARCHESE @ [REDACTED]

18:16:22 -PREMIS Comment:PPR

18:16:30 XREF Service:P Incident:#P183070327 Type:SSUBJ Agency:SP

18:16:35 SELECT

18:16:40 HOLD Comment:CORADV

18:17:15 SELECT

18:17:59 DISPOS IC3 Operator:66457 OperNames:HOFFMAN,KEVIN

18:17:59 -PRIU IC3

18:18:04 CLEAR IC3 Dispo:CON

18:18:04 -CLEAR

18:18:04 CLOSE

18:18:19 NOMORE

CONTACT INFO:

Name	Phone	RPaddr	RPCnt?	Contact2	Contact3	AltPh#
INGERSOLL	[REDACTED]		T			

CERTIFIED COPY OF ORIGINAL MASTER
 CONTRA COSTA COUNTY SHERIFF
 COMMUNICATIONS CENTER

Ally Ferrer
 CUSTODIAN OF RECORDS *12-11-18* DATE

Department of Motor Vehicles Image - CAL-PHOTO

CALIFORNIA DEPARTMENT OF MOTOR VEHICLES
IMAGE RECORD FOR:
ARBOLEDA LAUDEMER ATIENZA

HAIR: BLK **EXPIRES:** 02/09/2022 **CLASS:** F **SEX:** M
EYES: BRN **HEIGHT:** 505 **WEIGHT:** 140
DATE OF BIRTH: 02/09/1985
ADDRESS: [REDACTED]

PHOTO DATE: [REDACTED] **PHOTO OFFICE:** [REDACTED] **APPLICATION DATE:** [REDACTED] **APPLICATION OFFICE:** [REDACTED]
ISSUE DATE: [REDACTED] **ISSUE OFFICE:** [REDACTED] **RESTRICTIONS:** [REDACTED]
PHOTO SEQ #: [REDACTED] **ENDORSEMENTS:** [REDACTED]

SIGNATURE:**FINGERPRINT:**

This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice Cal-Photo communications network.

Date: _____ /s/ _____

11/3/2018

Message From Terminal/Unit: STDR Operator: GATE
Originally Sent To: DIN5
Date/Time Sent: 03-NOV-2018 13:37:22
02CLET.RUGL..10.ECHO#92760.4RUGLDIN500.IN

DATE:11-03-18*TIME:13:37*

MATCHED ON:*L/N*F/N* BD

DMV RECORD FOR LAW ENFORCEMENT USE ONLY

DL/NO [REDACTED] B/D:02-09-1985*NAME:ARBOLEDA LAUDEMER ATIENZA*

MAIL ADDR AS OF 01-27-17 [REDACTED]

OTH/ADDR AS OF 12-10-15: [REDACTED]

IDENTIFYING INFORMATION:

SEX:MALE*HAIR:BLACK*EYES:BRN*HT:5-05*WT:140*

LIC/ISS:01-27-17*EXPIRES:02-09-22*CLASS:C NON-COMMERCIAL*

ENDORSEMENTS:NONE*

ORIGINAL DL ISSUE DATE:12-04-03*

LATEST APP:

DL TYPE:RENEWAL*ISS/DATE: 01-27-17*OFFICE: FRE*BATES:LIS*

RESTR:MUST WEAR CORRECTIVE LENSES WHEN DRIVING,

LICENSE STATUS:

VALID*

DEPARTMENTAL ACTIONS:

NONE

CONVICTIONS:

NONE

FAILURES TO APPEAR:

NONE

ACCIDENTS:

NONE

END

Message From Terminal/Unit: STDR Operator: GATE
Originally Sent To: DIN5
Date/Time Sent: 03-NOV-2018 13:53:02
02CLET.RUGL..10.ECHO#92798.4RUGLDIN500.IH

RE: QHY.CA0070021.35424663.54958 1 DATE:20181103 TIME:13:53:21
RESTRICTED-DO NOT USE FOR EMPLOYMENT, LICENSING OR CERTIFICATION PURPOSES
ATTN:54958 18-14203 INV

CII



Message From Terminal/Unit: STDR Operator: GATE
 Originally Sent To: DIN5
 Date/Time Sent: 03-NOV-2018 14:00:00
 02CLET,RUGL..10.ECHO#92840.4RUGLDIN500.IV

DATE: 11/03/18 TIME: 14:01
 INSURANCE INFORMATION ON FILE
 POSSIBLE FILE CODES: A
 REG VALID FROM: 05/24/18 TO 05/24/19
 LIC# YRMD:14 MAKE:HOND BTM :4D VIN
 R/O :ARBOLEDA LAUDEMER, OR
 CITY:NEWARK C.C.:01 ZIP#:94560
 SOLD:00/00/14 RCID:04/04/18 OCID:09/06/17 LOCD:M

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:DE *-YR:17
 REC STATUS:
 09/02/17 SMOG DUE 05/24/20

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
V37	06/05/14	DW	0011	00208.00	00/00/00	A00
605	05/22/15	11	0017	00197.00	00/00/00	H00
140	04/17/15	08	0375	00197.00	PRIOR SUSPENSE	
142	04/08/16	08	4791	00186.00	00/00/00	POT
V93	08/07/17	C5	0046	00325.00	00/00/00	F00
P38	08/24/17	BA	0000	00000.00	00/00/00	Z02
V93	09/01/17	C5	0003	00015.00	00/00/00	F10
A14	09/06/17	BA	0000	00000.00	00/00/00	Z01
141	03/21/18	10	6203	00256.00	00/00/00	POT

07/06/2017-ODOMETER: 26,776 MILES ACTUAL MILEAGE

END



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0014

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0014	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment HOM	Status Report To Follow	Confidential? Yes	Empl. No / ID 77156
From Date 11/03/2018	From Time 11:05	To Date 11/03/2018	To Time 11:05	Use Of Force None	Call Type 245B	CAD Call No. 183070327	
Location 68 COTTAGE PL					City DAN	Zip	
Evidence Yes	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No
						Missing Value	Damaged Value

Offense

Offense No. 1	Offense PC245B	Description Assault W/ Deadly Weapon-Officer (F)
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Cross Reference

No Cross Reference found

Synopsis

This is an investigative supplemental report to Deputy Reed's original report, documenting my investigation of an Officer Involved Shooting (OIS) and death of SUS-Laudemer Arboleda. The shooting occurred on November 3, 2018, in the Town of Danville.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

This is an investigative supplemental report to Deputy Reed's original report.

I am a Detective with the Contra Costa County Office of the Sheriff and currently assigned to the Homicide Unit.

Notification:

Distribution List

Additional Routing

Reporting Deputy (Print) INGERSOLL, MATTHEW	Date/Time Written 04/25/2019 14:47:37	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 04/30/2019 14:15:48



On Saturday November 3, 2018 at approximately 1130 hours, I was notified by Sergeant Marchese via telephone of an (Officer Involved Shooting) OIS. Sergeant Marchese stated the (Law Enforcement Involved Fatal Incident) LEIFI protocol had been invoked and requested I respond to the scene. I was advised by Sheriff's Dispatch the location of the scene was at the intersection of Diablo Road and Front Street in the Town of Danville. I arrived on scene at approximately 1255 hours.

Scene Description:

The officer involved shooting occurred at the intersection of Diablo Road and Front Street in the Town of Danville, located in Contra Costa County. Northbound Front Street consists of a right turn only lane and a combination straight, left hand turn lane. Southbound Front Street is a single lane of travel.

Eastbound Diablo Road consists of two straight lanes and one left hand turn lane. Westbound Diablo Road from the intersection of W. El Pintado to the intersection of Front Street consists of two straight lanes and a left-hand turn lane.

A large red brick crosswalk area with white painted lines borders the north, west and south intersections. The intersection is controlled by traffic signal lights in all directions. On the southwest corner of the intersection there is a parking lot for Bevmo, located at 155 Diablo Road. On the northwest corner of the intersection there is a Valero Gas Station, located at 198 Diablo Road.

Danville PD vehicle (D31) driven by VIC-Officer Hall was parked facing in a south-west direction in the north bound straight-left hand turn lane, just south of the crosswalk area of Front Street. Danville PD vehicle (WC1) driven by WIT-Sergeant Martin was parked facing a south-west direction in the south bound lane of front street, partially blocking the crosswalk area.

Danville PD vehicle (D46) driven by WIT-Officer Maka and passenger WIT- FTO Officer Muller was parked facing North bound in the South bound lane of Front Street and was positioned with the front end of the vehicle near the front passenger side door of (D31) and the driver's side of (WC1's) front bumper.

Danville PD vehicle (D38) driven by WIT-Officer Caruso was parked facing in an easterly direction in the west bound number one lane of Diablo road, east of the Front Street intersection. The suspect vehicle, a silver colored Honda Civic (Lic. # [REDACTED]) belonging to SUS-Laudemer Arboleda came to rest against the north curb line of Diablo Road, just west of W. El Pintado.

The suspect vehicle had front end damage when it collided with a silver colored Jeep Grand Cherokee, which was traveling westbound on Diablo Road and unrelated to the initial incident. Arboleda had been transported to San Ramon Medical Center by San Ramon Valley Fire Medic 31 prior to my arrival on scene, where he was pronounced deceased.

The Jeep (Lic. # [REDACTED]) belonging to VIC-[REDACTED] came to rest in the west bound number one lane of Diablo Road, facing in a northwestern direction and blocked the number one and two lanes. The Jeep had front end damage to the front driver side bumper.

A second silver colored Honda 2DR (Lic. # [REDACTED]) belonging to WIT-[REDACTED] was parked facing westbound in the number two lane of Diablo Road, just west of W. El Pintado. [REDACTED] vehicle did not have any damage and did not appear to be involved in the incident.

San Ramon Valley Fire engine 31 was parked facing eastbound in the westbound number one lane partially blocking the left-hand turn lane of westbound Diablo Road. Engine 31 arrived on scene after the incident took place but

Distribution List

Additional Routing

Reporting Deputy (Print)
INGERSOLL, MATTHEWDate/Time Written
04/25/2019 14:47:37Disposition
Case ActiveApproving Supervisor (Print)
BAILEY, LAURIESupervisor ID.
52142Date/Time
04/30/2019 14:15:48

became part of the crime scene.

After aerial photographs were taken of the scene by the Contra Costa Drone team, Engine 31 was removed from the scene and placed back in service.

The intersections from Diablo Road and Front Street to Diablo Road and W. El Pintado were closed and blocked off with police caution tape. Traffic was being diverted onto northbound Front Street and northbound W. El Pintado.

The intersection of Front Street and East Prospect Avenue was closed and blocked off with police caution tape. Traffic was being diverted onto East Prospect Avenue from Front Street.

A secondary scene located on Laurel Drive, just under the freeway over pass was blocked off by a patrol unit and police caution tape. The secondary scene contained a white powdery substance which was observed by pursuing units as being thrown from the suspect vehicle as it fled from the officers, (for further details see Deputy Stark's supplemental report # 1.)

Safety briefing:

Inspectors with the Contra Costa County District Attorney's Office along with Detectives from Contra Costa County Sheriff's Office responded to the scene and participated in the investigation, per department policy in conjunction with the County's LEIFI protocol.

Sergeant Barden was on scene and had taken the roll of Incident Commander. Sergeant Barden provided the D.A. Inspectors and Detectives with a safety briefing of the incident, stating the following in summary:

On 11/03/2018, Danville PD units were involved in a traffic pursuit. During the pursuit, an object was observed being thrown from the suspect vehicle. The pursuit concluded at the intersection of Front Street and Diablo Road, where Officer Hall had discharged his service weapon at the suspect vehicle. The suspect was struck by Officer Halls rounds, and continued through the intersection of Diablo Road, where it struck a civilian vehicle and came to rest.

Deputies rendered first aid to the suspect until relieved by San Ramon Valley Fire and Paramedics. The suspect was transported to San Ramon Valley Medical Center where he was pronounced deceased.

The involved Danville PD Officers had been sequestered and transported back to Danville PD. All involved Danville PD police vehicles remained at the scene in the location they were during the incident and had not been moved.

Sergeant Barden stated a formal briefing would be held at Danville PD and ended the safety briefing.

Briefing:

The briefing was held at Danville PD and was led by Danville PD Chief Shields, Danville PD Lieutenant Muse, Danville PD Sergeant Hoekwater, and CCCSO Sergeant Barden.

A summary of the incident as given in the briefing, is as follows:

On 11/03/2018, at approximately 1103 hours, Danville PD units were dispatched to a suspicious person at 68 Cottage Place, for an Asian male adult who was ringing doorbells and walking around the area. Danville PD unit 21X1 (Officer Maka and FTO Officer Muller) arrived and located a subject matching the reporting party's description of the subject, who had gotten into a vehicle and began to drive away from them.

Officer Maka and Officer Muller attempted a traffic stop on the vehicle and a pursuit was initiated. Danville PD unit

Distribution List

Additional Routing

Reporting Deputy (Print) INGERSOLL, MATTHEW	Date/Time Written 04/25/2019 14:47:37	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 04/30/2019 14:15:48

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF	Report Number 180014203	Sup. No. 0014	Page 4 of 17
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21X3 (Officer Caruso) assisted Officer Maka and Officer Muller. During the pursuit, the subject (Arboleda), of the suspect vehicle threw an object out of the vehicle and continued to lead the Danville PD units in a pursuit. The object was later located by Deputy Stark, and a secondary crime scene had been established on Laurel Drive, under the 1680 overpass (for further details refer to Deputy Stark's supplemental report.)

The suspect vehicle continued to evade Danville PD units and turned onto Front Street. The suspect vehicle was confronted by Officer Hall and Sergeant Martin at the intersection of Front Street and Diablo Road. Officer Hall fired approximately 9 rounds in a westerly direction at the suspect vehicle, as the suspect vehicle drove between Officer Hall's patrol vehicle and Sergeant Martin's patrol vehicle, nearly striking Officer Hall.

The suspect vehicle drove through the intersection of Front Street and Diablo Road, colliding with a silver colored Jeep, which was traveling westbound on Diablo Road. The suspect was removed from his vehicle and was unresponsive.

Danville PD Officers provided first aid and CPR prior to San Ramon Valley Fire and Paramedics arriving on scene. Arboleda was transported to San Ramon Valley Medical Center by San Ramon Valley Fire Medic 31, where he was pronounced deceased at 1144 hours.

Sergeant Barden advised all involved Danville PD units were sequestered at Danville PD, along with one civilian ride along.

Chief Inspector Mulligan and Sergeant Marchese assigned D.A. Inspectors and Contra Costa County Sheriff's Detectives to the following teams and tasks:

Team 1: D.A. Inspector Morely and I were tasked with interviewing Officer Hall and Sergeant Martin

Team 2: D.A. Inspector Solzman and Detective Morris were tasked with interviewing Officers Maka, Muller, Caruso and the civilian ride along WIT [REDACTED]

Team 3: D.A. Inspector Souza and Orinda Detective Cai were tasked with interviewing and notifying the next of kin.

Team 4: D.A. Inspector Holcombe and Detective Vu were tasked with interviewing witnesses and retrieving video surveillance from surrounding businesses and witnesses.

Team 5: Detective Young and Lafayette Detective Marshall were tasked with interviewing San Ramon Valley Fire personnel.

Team 6: Inspector Mathers and Detective Jacquez were tasked with interviewing the primary reporting person and neighbors.

Officer Hall's interview:

Inspector Morley and I conducted our interview of Officer Hall in the investigation office of Danville PD. The interview was audio recorded on my department issued audio recorder. I later copied the audio file onto a CD and logged the CD into FOB evidence. Present during the interview was OTH-Sarah Burdick, Attorney with Rains Lucia Stern,(RLS). Officer Hall's interview was documented by Inspector Morely, for further details, refer to his supplemental report.

Interview of Sergeant Martin:

Distribution List

Additional Routing

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Inspector Morley and I conducted our interview of Sergeant Martin in an interview room located at Danville PD. The interview was audio recorded using my department issued audio recorder. I later copied the audio file onto a CD and logged the CD into FOB evidence. The interview was transcribed using Net Transcripts. I reviewed the transcribed interview to the audio CD for accuracy and signed the transcription. I later logged the signed transcribed interview into FOB evidence. I have attached a copy of the transcribed interview to this report (See transcription for details.)

Interview of WIT- [REDACTED]:

On 11/20/2018, at approximately 1645 hours, Inspector Morely and I interviewed WIT- [REDACTED] at the FOB. The interview was audio and video recorded. I later copied the audio and video files onto a CD and logged the CD into FOB evidence. For further details of [REDACTED] statement refer to Inspector Morely's supplemental report.

Interview of Officer Maka:

Officer Maka was interviewed by Detective Morris and Inspector Solzman. The interview was audio recorded by Detective Morris, who later provided me with a CD copy of the interview and transcripts. I reviewed the transcribed interview to the audio recorded interview for accuracy and signed the transcribed interview. I later logged the signed transcribed interview and CD into FOB evidence. I have attached a copy of the transcribed interview to this report (See transcription for details.)

Interview of Officer Muller:

Officer Muller was interviewed by Detective Morris and Inspector Solzman. The interview was audio recorded by Detective Morris, who later provided me with a CD copy of the interview, transcripts and a diagram drawn and signed by Officer Muller of the intersection. I reviewed the transcribed interview to the audio recorded interview for accuracy and signed the transcribed interview. I later logged the signed transcribed interview, CD and diagram into FOB evidence. I have attached a copy of the diagram an transcribed interview to this report (See transcription for details.)

Interview of Officer Caruso:

See Inspector Solzman's supplemental report for further details.

Interview of [REDACTED]:

See Inspector Solzman's supplemental report for further details.

Next of Kin Notification:

For next of kin notification refer to Inspector Souza and Orinda Detective Cai's supplemental reports.

Interview of San Ramon Valley Fire Personnel:

See Detective Young and Lafayette Detective Marshall's supplemental reports for further details.

Interview of Primary reporting party and witnesses:

See Inspector Mathers supplemental report for further details.


Autopsy:

Distribution List

Additional Routing

Reporting Deputy (Print) INGERSOLL, MATTHEW	Date/Time Written 04/25/2019 14:47:37	Disposition Case Active
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<p>On 11/06/2018, an autopsy was performed on Arboleda by Pathologist Dr. Josselson. Dr. Josselson was assisted by Pathologist Assistant Brianna Ward. Attending the autopsy was D.A. Inspector Grove, D.A. Inspector Solzman, Detective Jacquez, Detective Morris and myself. Criminalist J. Fong and S. Sigmon from the Contra Costa Crime lab were present and took digital photographs and collected evidence (for further detail of the criminalist's actions refer to Crime Lab report # 18-4300-2.)</p> <p>At the conclusion of the autopsy, Dr. Josselson stated the preliminary cause of death was a gunshot wound to the chest, which perforated Arboleda's heart and lung (for further details refer to Coroner's report # 18-5119).</p> <p>Investigation:</p> <p>Arboleda's Honda Civic (CA # [REDACTED]) was processed on scene by the CCCSO Crime Lab, (for further details refer to crime lab report # 18-4300-1.) Detective Allen assisted crime scene technicians with the search of the vehicle and completed a tow form for the vehicle, (See Detective Allen's supplemental report for further details.)</p> <p>On 11/03/2018, Detective Vu and Inspector Holcombe spoke to several witnesses and retrieved video surveillance footage from the Valero Gas station located at the intersection of Front Street and Diablo Road. For further details pertaining to witness statements and the Valero video surveillance footage, refer to Detective Vu and Inspector Holcombe's supplemental reports.</p> <p>On 11/03/2018, Sergeant Marchese received several reports from the Newark Police Department regarding contacts they had with Arboleda. I have attached a copy of each Newark PD report to this report. On 11/07/2018, I reviewed the Newark PD reports which documented evidence (body worn cameras or BWC's) their officers had logged into evidence. I sent a fax request to the Newark PD records unit requesting a copy of the BWC video footage.</p> <p>On 11/07/2018, I received a red colored backpack with an American Red Cross logo on the front, which was removed from the trunk of Arboleda's vehicle before it was towed. I took digital photographs of the backpack and its contents before logging the items into evidence. I have attached the digital photographs of the backpack and its contents to this report. The following is a summary of the contents of the red colored backpack:</p> <p>In the front zippered pocket was a match box, which contained several loose matches and two tea light candles. Also located in the front zippered pocket were two blue plastic butter knives. Inside the main zippered compartment of the backpack, I located a manila envelope, loose pieces of paper with black duct tape around the edges, several clear zip-lock bags with white colored envelopes, a yellow colored notebook, a purple colored notebook and a black garbage bag.</p> <p>Inside the black garbage bag, I located a neon yellow Ryobi cordless drill, a Ryobi battery charger, duct tape, a yellow Ryobi drill set and extra black garbage bags. I located a key ring in the bottom of the backpack, which had two keys attached to it. One of the keys appeared to be a Honda vehicle key.</p> <p>I viewed the white envelopes contained inside the clear plastic bags. Inside the envelopes were different denominations of U.S. currency (20-\$1.00, 4-\$5.00, 1-\$10.00, 127-\$20.00, 1-\$100.00 for a total of \$2690.00). I also located two copies of Arboleda's birth certificate within the envelopes.</p> <p>The yellow notebook appeared to contain personal notes, which were nonsensical. The purple note book appeared to contain more personal notes and printed images. I took digital photographs of each page (see attached photographs for further details.)</p> <p>A large clear zip lock bag contained Arboleda's passport, and miscellaneous medical paperwork.</p>				
Distribution List				
Additional Routing				
Reporting Deputy (Print) INGERSOLL, MATTHEW	Date/Time Written 04/25/2019 14:47:37	Disposition Case Active		
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 04/30/2019 14:15:48		

 CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF	Report Number 180014203	Sup. No. 0014	Page 7 of 17
<p>On 11/14/2018, I received two CD's from the Newark PD records unit with video footage from their officer's BWC's. I later logged the CD's into FOB evidence after reviewing the content. For further details pertaining to Newark PD reports, refer to their attached reports (#18-01281 and #18-03441.)</p>			
<p><u>Review of Danville PD Body worn cameras (BWC) and patrol vehicle mounted cameras:</u></p>			
<p>On 11/15/2018, I reviewed video from the Officer's body worn cameras (BWC's) and patrol vehicle mounted camera systems.</p>			
<p>The following is a summary of the videos reviewed, for exact verbiage and sequence, refer to the DVD copies:</p>			
<p><u>Officer Maka's Body Worn Camera (BWC):</u></p>			
<p>Officer Maka's BWC is activated on 11/03/2018, at 18:11:27 hours (UTC). The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:11:27 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the BWC is activated.</p>			
<p>Officer Maka's BWC is activated while he is seated in the driver's seat of his patrol vehicle, with Officer Muller in the passenger seat. At 11:11:42 hours, Officer Maka exited his patrol vehicle and attempted to stop a silver colored Honda Civic driven by an Asian male with glasses (sole occupant), which had just pulled away from the curb line.</p>			
<p>The driver of the vehicle continues to drive past Officer Maka and Officer Caruso can be seen exiting his patrol vehicle and attempting to have the driver of the vehicle stop.</p>			
<p>Officer Maka and Officer Muller enter their patrol vehicle and audio begins. Officer Maka made a three-point turn and attempted to catch up with the vehicle. Officer Muller can be heard telling Officer Maka they were not going to initiate a traffic stop on the vehicle if he is stopped at the time but were going to attempt to speak with the subject.</p>			
<p>At 11:14:18 hours, Officer Maka and Officer Muller see the vehicle on Princeton Lane. Officer Maka exited his patrol vehicle a second time and can be heard yelling at the driver of the vehicle "Hey, Stop. Stop. Hey."</p>			
<p>The driver of the vehicle again drives past Officer Maka. Officer Maka entered his patrol vehicle and turned the patrol vehicle around in order to catch up to the vehicle. Officer Maka observed the vehicle turn left onto Brookside Drive and Officer Muller can be heard telling Dispatch the vehicles direction of travel via the patrol vehicle's radio.</p>			
<p>At 11:15:54 hours, Officer Muller can be heard telling dispatch they were initiating a traffic stop on the vehicle at Glen Arms Drive. Officer Maka activated his overhead emergency lights and sounds his siren multiple times.</p>			
<p>At 11:16:13 hours, Officer Maka exited his patrol vehicle and attempted to walk toward the vehicle which was stopped. As Officer Maka exited his patrol vehicle, the vehicle drove away, making a right hand turn onto Laurel Drive.</p>			
<p>Officer Maka's BWC is then obstructed by his vehicle seat belt. At 11:16:53, an Officer can be heard on Officer Maka's BWC saying "Driver, Stop the car." The vehicle appeared to continue on, as Officer Maka continues to drive.</p>			
<p>At 11:17:35, Officer Maka stopped his patrol vehicle and exited the driver side. Officer Maka drew his duty weapon and walked around the rear of his vehicle. The vehicle reversed as Officer Muller attempted to open the driver's side door of the vehicle. Officer Caruso can be seen with his duty weapon drawn and pointed at the driver of the vehicle.</p>			
<p>At 11:17:44 hours, Officer Muller is between the vehicle's driver side front fender and two parked vehicles, with</p>			
Distribution List			
Additional Routing			
Reporting Deputy (Print) INGERSOLL, MATTHEW	Date/Time Written 04/25/2019 14:47:37	Disposition Case Active	
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 04/30/2019 14:15:48	

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limited space, Officer Caruso moved toward the front passenger side of the vehicle.

The vehicle accelerated away from Officer Muller and Caruso and toward Officer Maka, driving past all three officers and the rear of Officer Maka's patrol vehicle. At 11:17:50 hours, Officer Maka and Officer Muller re-enter their patrol vehicle and continue pursuing the vehicle.

Officer Maka's BWC is again obstructed by the vehicle's seatbelt. At 11:18:56 hours, you can hear via the audio of Officer Maka's BWC, shots being fired. At 11:18:59 hours, no more shots can be heard. At 11:19:01 hours, a loud sound can be heard (consistent with vehicles colliding.)

Officer Maka's BWC becomes unobstructed at 11:19:00 hours. Officer Maka ran to the vehicle, which had collided with a silver colored Jeep Cherokee. Officer Hall can be seen breaking the driver's side window of the suspect vehicle, allowing access into the vehicle.

At 11:19:37 hours, Officer Maka and Officer Muller pull the driver and sole occupant (later identified as Arboleda) out of the suspect vehicle. Arboleda was unconscious and not moving. Officer Maka ran and retrieved a CPR mask and a first aid kit from the back of his patrol vehicle and returned to Arboleda. At 11:20:44 hours, Danville Officers began life saving measures on Arboleda. At 11:21:36 hours, Officer Hall placed AED pads on Arboleda and Officer Maka began providing chest compressions. At 11:24:08 hours, San Ramon Valley Fire arrived and took over medical and life saving measures.

At 11:25:20 hours, Officer Maka contacted the driver and sole occupant of the silver colored Jeep Cherokee and escorted her away from the vehicle collision.

At 11:42:50 hours, Officer Maka began a crime scene log. Officer Maka's BWC is turned off at 12:19:56 hours.

Officer Muller's BWC:

Officer Muller's BWC activates on 11/03/2018, at 18:11:26 hours UTC. The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:11:26 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the BWC is activated.

Officer Muller exits the passenger side of the patrol vehicle and steps toward the front of his vehicle. A silver colored Honda Civic can be seen pulling away from the curb line and driving past Officer Maka and Officer Muller's patrol vehicle.

At 11:11:57 hours, Officer Muller entered the passenger side of his patrol vehicle and audio began on the BWC. At 11:14:18 hours, Officer Muller sees the suspect vehicle and verbalized his observation to Officer Maka.

At 11:14:40 hours, Officer Muller advised dispatch via his patrol vehicle's radio, he and Officer Maka were out with the vehicle. Officer Maka placed the patrol vehicle in park and exited the driver side of the vehicle and can be heard ordering the vehicle to stop. At 11:14:55 hours, Officer Muller advised dispatch the vehicle drove past them and advised the direction of travel.

At 11:15:50 hours, Officer Muller advised dispatch they were affecting a vehicle stop on the vehicle at Glen Arms Drive and gave the license plate of the vehicle [REDACTED]. At 11:16:10 hours, Officer Muller exited the passenger side of the patrol vehicle and began to approach the vehicle. At 11:16:14 hours, the suspect vehicle began to drive away from the traffic stop and made a right hand turn onto Laurel Drive. Officer Muller re-enters the passenger side of the patrol vehicle and Officer Maka initiated a pursuit of the vehicle. At 11:16:22 hours, Officer Muller advised dispatch the vehicle was fleeing.

Distribution List		
Additional Routing		
Reporting Deputy (Print) INGERSOLL, MATTHEW	Date/Time Written 04/25/2019 14:47:37	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 04/30/2019 14:15:48

At 11:16:50 hours, Officer Muller exited the passenger side of his patrol vehicle, standing in the door thresh-hold and drew his duty weapon to affect a high risk stop of the vehicle. Officer Muller began to address the driver of the vehicle and at 11:16:55 hours, the vehicle again drove away from the patrol units. At 11:16:58 hours, Officer Muller entered the passenger side of the patrol vehicle and he and Officer Maka continue the pursuit.

At 11:17:14 hours, Officer Muller advised dispatch via his patrol vehicle's radio, they would terminate the pursuit if the vehicle continued further. At 11:17:33 hours, Officer Muller exited the passenger side of his patrol vehicle and drew his duty weapon. The suspect vehicle can be seen stopped and then reverse away from Officer Muller, as he approached the driver side of the vehicle.

Officer Muller is heard yelling at the driver to "stop the car" as he attempted to open the driver's side door of the vehicle, which appeared to be locked. The vehicle continued to reverse away from Officer Muller. Officer Muller can be heard saying "don't shoot him," as he was between two parked vehicles and the suspect vehicle.

The suspect vehicle accelerated forward, past Officer Muller, as he was within two feet of the vehicle. Officer Caruso can be seen on the passenger side of the vehicle as it accelerated away from the officers. At 11:17:49 hours, Officer Muller re-entered the passenger side of his patrol vehicle and Officer Maka attempted to catch up to the fleeing vehicle.

At 11:17:58 hours, Officer Muller updated dispatch, advising the patrol units had the vehicle stopped at gun point, but the vehicle drove around them. Officer Muller began giving dispatch updates of the vehicle's direction of travel, speeds and traffic conditions. At 11:18:30 hours, Officer Muller advised the vehicle is traveling north on Front Street, approaching East Prospect Avenue.

At 11:18:56 hours, shots can be heard via Officer Muller's BWC, and Officer Muller opened the passenger side door to exit his patrol vehicle. At 11:19:05 hours, Officer Muller fully exited his patrol vehicle from the passenger side and began to run from Front Street towards Diablo Road. The suspect vehicle can be seen stopped against the north curb line and appeared to have collided with a silver colored Jeep Cherokee.

At 11:19:17 hours, Officer Muller reached the driver side of the suspect vehicle and Officer Hall advised, he was breaking the driver's side window. Officer Hall advised the driver appeared to be unconscious and broke the window. At 11:19:31 hours, Officer Muller reached inside the driver's compartment of the vehicle and unbuckled the driver (Arboleda.) Officer Muller and Officer Maka then pulled Arboleda out from the driver's seat and laid him on the ground next to the vehicle.

At 11:19:57 hours, Officer Muller instructed Officer Maka to grab his medical kit out of the back of their patrol vehicle. At 11:20:32 hours, Officer Muller began assessing Arboleda's injuries. At 11:21:35 hours, Officer Hall placed AED pads on Arboleda. At 11:21:53 hours, the AED advised "no shock" and Officer Hall requested CPR to be started. Officer Maka began chest compressions and Officer Caruso assisted with rescue breathing.

At 11:22:16 hours, Officer Muller checked on the driver and sole occupant of the Jeep Cherokee. At 11:22:24 hours, San Ramon Valley Fire engine 31 arrived on scene. At 11:22:57 hours, San Ramon Valley Medic 31 arrived on scene and Officer Muller gave the medics Arboleda's injuries that he had observed.

At 11:24:27 hours, Officer Muller began placing police caution tape at the intersection of Front Street and Diablo Blvd. and directed traffic north on Front Street. Several vehicles can be seen turning right onto Diablo Blvd. from Front Street, driving through the crime scene prior to the scene being secured.

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At 11:35:19 hours, a male subject walked up toward the crime scene tape at Diablo Road and West El Pintado. The male attempted to get past Officer Muller and other Officers. Officer Muller stopped the male and directed him to the sidewalk area.

At 11:40:10 hours, Officer Muller turned off his BWC. At 11:41:21 hours, Officer Muller re-activated his BWC and the BWC turned off again at 11:49:44 hours. There was no further pertinent information on the re-activation of the BWC.

Officer Caruso's BWC:

Officer Caruso's BWC activated on 11/03/2018, at 18:11:45 hours UTC. The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:11:45 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the BWC is activated.

Officer Caruso exited the driver side of his patrol vehicle as a silver colored Honda Civic (suspect vehicle) can be seen driving past Officer Maka, who appeared to be attempting to stop the vehicle as it drove past him. Officer Caruso appeared to attempt to stop the vehicle by gesturing toward the driver, as the vehicle drove past him as well. As Officer Caruso re-entered the driver side of his patrol vehicle, I observed his rear facing overhead lights were activated.

At 11:12:03 hours, Officer Caruso entered the driver seat of his patrol vehicle. I observed a female ride-along [REDACTED] seated in the passenger seat of Officer Caruso's patrol vehicle. Audio began on Officer Caruso's BWC at 11:12:15 hours.

At 11:13:18 hours, Officer Caruso can be heard asking a citizen if they had seen a Honda driven by an Asian male, recently drive through the area. The citizen advised Officer Caruso he had not seen the vehicle. Officer Caruso does not locate the vehicle on his area check and turned off his BWC at 11:14:18 hours.

Officer Caruso re-activated his BWC at 11:15:53 hours, and audio began at 11:16:23 hours. At 11:16:28 hours, Officer Caruso activated his emergency siren and [REDACTED] advised Officer Caruso, the subject in the vehicle dropped something out of the car. Officer Caruso advised dispatch via his patrol vehicle's radio, the subject dropped an object under the freeway.

At 11:16:39 hours, Officer Caruso began to exit his patrol vehicle, but the suspect vehicle accelerated away from him.

At 11:17:15 hours, [REDACTED] used Officer Caruso's patrol vehicle's Public Announcement System (PA) and announced "Pull over" two times. At 11:17:34 hours, Officer Caruso placed his patrol vehicle in park and exited the driver side of his patrol vehicle.

Officer Caruso drew his duty weapon and began to give commands to the driver of the vehicle, which appeared to be stopped behind his patrol vehicle. The vehicle immediately began to reverse away from Officer Caruso.

Officer Muller can be seen exiting the passenger side of his patrol vehicle and drew his duty weapon. Officer Muller approached the driver side of the vehicle, as it continued in reverse. Both Officer Caruso and Officer Muller can be heard giving the driver of the vehicle multiple commands to stop the car and put his hands up.

The vehicle continued to back away from Officer Caruso and Officer Muller. As the vehicle backed up, Officer Muller can be seen in between two parked vehicles and the suspect vehicle with only approximately two to three feet of free space to move about.

At 11:17:46 hours, the vehicle accelerated forward, driving past Officer Caruso, who was standing toward the front

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passenger side of the vehicle. As the vehicle passed Officer Caruso, it appeared to pass within two feet of Officer Caruso.

At 11:18:57 hours, Officer Caruso placed his patrol vehicle in park and opened his driver's side door. Shots can be heard on Officer Caruso's BWC. At 11:19:02 hours, Officer Caruso closed his driver's side door and continued to drive forward through the intersection of Front Street and Diablo Road.

At 11:19:13 hours, Officer Caruso advised via his patrol vehicle radio of a traffic collision and exited his patrol vehicle. Officer Caruso drew his duty weapon and approached the passenger side of the suspect vehicle. The driver of the vehicle (Arboleda) was removed from the driver's seat of the vehicle.

At 11:21:35 hours, Officer Hall placed AED pads on Arboleda. At 11:21:55 hours, the AED advised "no shock advised" and officers began CPR. Officer Caruso assisted Officer Maka with CPR by providing rescue breathes.

At 11:24:05 hours, San Ramon Valley Fire took over medical interventions and relieved Officer Caruso and Officer Maka.

At 11:26:22 hours, Officer Caruso checked on the welfare of Officer Hall. Officer Caruso took over placing crime scene tape at the intersection of W. El Pintado and Diablo Road. At 11:31:42 hours, Officer Caruso began obtaining San Ramon Valley Fire personnel information.

At 11:33:52 hours, Officer Caruso obtained the information of two witnesses in a second silver Honda (CA [REDACTED]), which was not involved in the traffic collision but witnessed the incident. The second Honda was parked in the number two lane of westbound Diablo Road.

At 12:08: 05 hours Officer Caruso spoke with the original reporting party, who was standing near the Valero gas station on Front Street and Diablo Blvd. Officer Caruso continued to assist with duties on scene and shut off his BWC at 12:20:02 hours.

Officer Hall's BWC:

Officer Hall's BWC activated on 11/03/2018, at 18:16:03 hours UTC. The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:16:03 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the BWC is activated.

Officer Hall returned to his patrol vehicle after completing a traffic stop. At 11:16:28 hours, audio from Officer Hall's BWC started. Officer Hall activated his emergency siren and began responding to the pursuing officer's, Code 3.

At 11:17:24 hours, Officer Hall turned off his emergency siren and appeared to stop his patrol vehicle under a freeway overpass. At 11:17:45 hours, Officer Hall turned his emergency siren back on and began to respond toward the pursuing officer's area.

At 11:18:13 hours, Officer Hall's BWC became obstructed from what appeared to be the vehicle's seatbelt. At 11:18:39 hours, Officer Hall can be heard advising dispatch of his location at Diablo Road approaching Front Street.

At 11:18:51 hours, video from Officer Hall's BWC is viewable as he exited the driver's side of his patrol vehicle. A silver colored Honda Civic (Arboleda's vehicle) appeared to be stopped in front of Officer Hall's patrol vehicle as he exited. At 11:18:53 hours, Officer Hall began to move around the rear of his patrol vehicle toward the passenger side of his vehicle. As Officer Hall came around the rear of his patrol vehicle, he drew his duty weapon.

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At 11:18:55 hours, the suspect vehicle can be seen driving forward toward Sergeant Martin's patrol vehicle. The vehicle almost collided with the front of Sergeant Martin's patrol vehicle, coming within inches of the front bumper. As the vehicle avoided the front of Sergeant Martin's patrol vehicle, the front of the suspect vehicle was pointed at Officer Hall, who was now standing near the rear passenger door of his patrol vehicle. The vehicle appeared to be within two feet of Officer Hall.

At 11:18:56 hours, the vehicle appeared to be almost striking Officer Hall, as the front passenger bumper was no longer visible on Officer Hall's BWC. Officer Hall began to discharge his duty weapon at the front windshield of the vehicle. Officer Hall appeared to be backing away from the vehicle, toward the rear of his patrol vehicle.

At 11:18:58 hours, Officer Hall seized firing his duty weapon and the suspect vehicle accelerated through the intersection of Front Street and Diablo Road. The vehicle nearly struck a white colored SUV which was stopped in the left turn pocket of westbound Diablo Road. Officer Hall continued to track the vehicle and began to run after the vehicle.

At 11:19:00 hours, the suspect vehicle collided with the front driver's side of a silver colored Jeep Cherokee. At 11:19:03 hours, Officer Hall advised dispatch via his portable radio "shots fired." At 11:19:09 hours, Officer Hall reached the driver's side door of the suspect vehicle and attempted to open the locked driver's side door.

At 11:19:18 hours, Officer Hall advised responding officers of the driver being unconscious and he was going to break the driver's side window to gain access to the driver (Arboleda.) Officer Hall broke the driver's side window, clearing the broken glass and reached inside the vehicle to unlock the door.

At 11:19:28 hours, Officer Hall advised dispatch the driver was unresponsive and requested Code 3 fire and ambulance. At 11:19:38 hours, Officers Maka and Muller pulled Arboleda out of the driver's seat and laid him on the ground. Officer Maka and Muller began performing life saving measures on Arboleda.

At 11:19:54 hours, Officer Hall checked on the driver of the Jeep Cherokee. At 11:20:58 hours, Officer Hall grabbed an AED from the trunk of his vehicle and returned to Arboleda. At 11:21:33 hours, Officer Hall placed the AED pads on Arboleda and had the AED machine assess Arboleda. A "no shock" advisement can be heard and Officer Hall requested officers to start CPR.

At 11:22:25 hours, San Ramon Valley Fire engine 31 arrived on scene. At 11:25:18 hours, Officer Hall told Officer Muller he cut his finger on the suspect vehicle's window. At 11:26:47 hours, Sergeant Martin walked Officer Hall to an ambulance to have Officer Hall's finger treated. Officer Hall was treated for a laceration to his right index and middle finger by engine 31 due to the ambulance leaving the scene.

At 11:36:20 hours, Officer Hall was sequestered and placed in Deputy Bullard's patrol vehicle. At 11:37:23 hours, Officer Hall made a phone call to his significant other, stating he was ok, but he could not talk about the incident. At 11:38:30 hours, Deputy Bullard began to drive Officer Hall back to Danville PD. At 11:43:00 hours, Officer Hall and Deputy Bullard arrived at Danville PD.

No other pertinent information was viewed on Officer Hall's BWC and the video ended at 12:02:12 hours.

Sergeant Martin's Patrol Vehicle Camera (front and rear):

Sergeant Martin's patrol vehicle cameras activated on 11/03/2018, at 18:17:20 hours UTC. The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:17:20 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the patrol vehicle camera is

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activated.

Sergeant Martin's forward-facing patrol vehicle camera showed him make a left hand turn from La Gonda Way onto El Cerro Blvd. Sergeant Martin then made a right hand turn onto West El Pintado. At 11:17:48 hours, from Sergeant Martin's rear facing patrol vehicle camera, the patrol vehicles emergency lights can be seen activated. At 11:18:11 hours, Sergeant Martin activated his emergency siren and began responding Code 3.

At 11:18:19 hours, Sergeant Martin can be heard asking via his patrol vehicles radio if the suspect vehicle is moving or stopped. Via Sergeant Martin's patrol vehicle radio, a response of "were moving" can be heard.

At 11:18:42 hours, Sergeant Martin approached the intersection of W. El Pintado and Diablo Road. At the same time, Officer Hall's patrol vehicle can be seen approaching from the east, traveling west on Diablo Road. Officer Hall's overhead emergency lights can be seen as he passed through the intersection in front of Sergeant Martin's patrol vehicle.

At 11:18:48 hours, Officer Hall's patrol vehicle can be seen turning left onto Front Street from Diablo Road and come to a complete stop at 11:18:51 hours. Sergeant Martin then turned left onto Front Street from Diablo Road and pulled to the right of Officer Hall's patrol vehicle.

At 11:18:54 hours, as Sergeant Martin drove around the passenger side of Officer Hall's patrol vehicle, a silver Honda Civic (Arboleda's vehicle) can be seen starting to accelerate around the front of Officer Hall's patrol vehicle.

At 11:18:55 hours, Sergeant Martin's patrol vehicle came to a complete stop and the suspect vehicle attempted to maneuver past the driver's side of Sergeant Martin's patrol vehicle. The suspect vehicle came extremely close to striking Sergeant Martin's front driver side bumper as it moved between the two patrol vehicles.

At 11:18:56 hours, via Sergeant Martin's patrol vehicle camera, you can hear Officer Hall discharge his duty weapon as the suspect vehicle continued driving past Sergeant Martin's patrol vehicle.

At 11:18:58 hours, Officer Hall stopped discharging his duty weapon and the suspect vehicle is no longer viewable on Sergeant Martin's patrol vehicle front camera. At the same time, the suspect vehicle can be seen on Sergeant Martin's rear facing patrol vehicle camera, accelerating through the intersection of Front Street and Diablo Road. At 11:19:00 hours, the vehicle can be seen on the rear facing camera, colliding with a silver colored Jeep Cherokee. At 11:19:01 hours, Sergeant Martin can be heard advising dispatch of "shots fired."

At 11:19:05 hours, Officers can be seen on Sergeant Martin's rear facing patrol vehicle camera approaching the suspect vehicle. At 11:19:39 hours, Officers can be seen pulling the driver (Arboleda) out from the driver's side of the vehicle.

No other pertinent information is obtained from either the front or rear facing patrol vehicle cameras and the front patrol camera is turned off at 12:57:34 hours; the rear facing camera is turned off at 12:57:42 hours.

Officer Maka and Officer Muller's patrol vehicle camera (front and rear):

Officers Maka and Muller's patrol vehicle cameras activated on 11/03/2018, at 18:09:08 hours UTC. The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:09:08 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the patrol vehicle camera is activated.

The first video clip has no pertinent information and ended at 11:09:56 hours. The second video clip of Officer Maka

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and Officer Muller's forward-facing patrol vehicle camera began at 11:10:13 hours. The video showed Officer Maka and Officer Muller as they first arrived on scene of the suspicious subject call at Cottage Place. At 11:11:24 hours, you can hear Officer Maka and Officer Muller observe a subject getting into a vehicle, and the patrol vehicle pulled over and parked on the curb line.

At 11:11:41 hours, Officer Muller can be heard telling Officer Maka to tell the subject in a silver Honda Civic to stop. The vehicle started to pull away from the curb line and drive past the patrol vehicle and out of camera view. Officer Maka can be heard attempting to stop the vehicle.

At 11:12:14 hours, Officer Maka and Officer Muller's patrol vehicle turned around and attempted to catch up to the suspect vehicle. At 11:14:19 hours, Officer Muller saw the suspect vehicle and told Officer Maka. Officer Maka turned the patrol vehicle onto Princeton Lane from Brookside Drive. At 11:14:42 hours, Officer Muller advised dispatch, he and Officer Maka would be out with the vehicle on Princeton Drive. The suspect vehicle was parked on the opposite curb line, facing Brookside Drive, when Officer Maka parked his patrol vehicle.

At 11:14:45 hours, the suspect vehicle pulled away from the curb line and began to drive past Officer Maka and Officer Muller's patrol vehicle, toward Brookside Drive. Officer Maka can be heard yelling at the car to "Stop."

At 11:14:56 hours, Officer Maka and Officer Muller turn their patrol vehicle around and attempted to catch up to the vehicle. At 11:15:40 hours, Officer Maka and Officer Muller saw the vehicle on Glen Arms Drive and at 11:15:54 hours, Officer Maka and Officer Muller attempted to pull the vehicle over.

At 11:16:10 hours, the vehicle appeared to stop and pull over at the intersection of Glen Arms Drive and Laurel Drive. The vehicle stopped momentarily and at 11:16:14 hours, the vehicle accelerated and made a right hand turn onto Laurel Drive.

At 11:16:20 hours, Officer Caruso's patrol vehicle can be seen making the right hand turn onto Laurel Drive and took over as lead car. Officer Caruso began to pursue the suspect vehicle. At 11:16:36 hours, from Officer Maka and Officer Muller's front facing patrol vehicle camera, the suspect vehicle appeared to pull over again, just past the freeway overpass on Laurel. Officer Caruso can be seen exiting his patrol vehicle and approach the vehicle. Officer Maka and Officer Muller pull their patrol vehicle to the left-hand side of Officer Caruso's patrol vehicle and the suspect vehicle again began to accelerate away from the patrol vehicles. At 11:16:38 hours, Officer Maka and Officer Muller assume the lead patrol vehicle in the pursuit of the suspect vehicle.

At 11:16:49 hours, the suspect vehicle began to break and pull over to the curb-line of Laurel Drive. The vehicle stopped momentarily as Officer Maka and Officer Muller stop just behind the vehicle. At 11:16:54 hours, both Officer Maka and Officer Muller exit their patrol vehicle, the suspect vehicle accelerated away from them and Officer Caruso assumes the lead patrol vehicle. Officer Muller can be heard yelling at the driver of the vehicle to "stop the car."


At 11:17:30 hours, the suspect vehicle attempted to make a left hand turn onto River Rock Lane from Hartz Way. Officer Caruso's patrol vehicle can be seen pulling in front of the vehicle, stopping the vehicle's forward movement. Officer Maka and Officer Muller's patrol vehicle stopped behind Officer Caruso's patrol vehicle as the vehicle attempted to drive around the rear of Officer Caruso's patrol vehicle.

At 11:17:33 hours, Officer Caruso can be seen exiting his vehicle and approach the vehicle with his duty weapon drawn. The suspect vehicle then reversed away from Officer Caruso and out of view of Officers Maka and Muller's front facing patrol vehicle camera. Officers can be heard via the camera's audio giving the driver multiple commands to "stop the car."

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<p>At 11:17:48 hours, a vehicle can be heard accelerating away. At 11:17:53 hours, Officers Maka and Muller return to their patrol vehicle and began to pursue the suspect vehicle. At 11:18:18 hours, Officers Maka and Muller caught up to the vehicle on Front Street. The suspect vehicle failed to stop to Officers Maka and Mullers overhead emergency lights and siren.</p> <p>At 11:18:50 hours, Officer Hall's patrol vehicle can be seen turning left onto Front Street from Diablo Road, directly in front of the suspect vehicle. At 11:18:51 hours, the suspect vehicle came to a complete stop. At 11:18:53 hours, Officer Hall's driver's side door opens and the suspect vehicle attempted to accelerate around the front passenger side of Officer Hall's patrol vehicle. Sergeant Martin's patrol vehicle can be seen turning left onto Front Street from Diablo Road, pulling along the passenger side of Officer Hall's patrol vehicle.</p> <p>Officer Hall can be seen exiting his patrol vehicle and approach the passenger side of his patrol vehicle. As Officer Hall makes his approach around the rear of his patrol vehicle, he has his back turned away from the suspect vehicle and appeared to lose sight of the vehicle.</p> <p>At 11:18:56 hours, Officer Hall came around the rear passenger side of his patrol vehicle with his duty weapon drawn. At the same time, the suspect vehicle began to accelerate between Officer Hall and Sergeant Martin's patrol vehicle. Officer Hall appeared to be within two feet or less of the suspect vehicle's front passenger bumper.</p> <p>At 11:18:56 hours, Officer Hall began to discharge his duty weapon at the suspect vehicle, as the vehicle accelerated toward him. Officer Hall began to back up away from the suspect vehicle and appeared to be within inches of the front passenger bumper of the vehicle. Officer Hall appeared to have less than a foot between the suspect vehicle and his patrol vehicle. At 11:18:59 hours, Officer Hall stopped firing his duty weapon and began to run after the vehicle, which accelerated through the intersection of Front Street and Diablo Road.</p> <p>At 11:19:05 hours, Officer Maka and Officer Muller's patrol vehicle stopped between Officer Hall and Sergeant Martin's patrol vehicle and they both exit their patrol vehicle. Officer Maka and Officer Muller began to run toward the suspect vehicle, which had collided with a silver colored Jeep Cherokee in the westbound lane of Diablo Road.</p> <p>At 11:19:41 hours, officers can be seen pulling the driver (Arboleda) out of the driver's seat of the suspect vehicle. The front patrol vehicle video continues recording with no pertinent information until 13:00:17 hours.</p> <p>Officer Maka and Officer Muller's rear facing patrol vehicle camera began recording at 11:11:28 hours and ended at 13:00:11 hours. The rear facing camera is obstructed by the patrol vehicles metal cage and has no pertinent video. All audio captured on the rear facing camera is the same as what was captured on the front facing camera.</p>			
<p><u>Officer Caruso's patrol vehicle camera (front and rear):</u></p> <p>Officer Caruso's patrol vehicle cameras activated on 11/03/2018, at 18:10:07 hours UTC. The corrected time for Pacific Daylight's Savings (PDT) is adjusted to 11:10:07 hours. The following times have been adjusted to PDT for ease of reading. There is an approximate 30 second audio delay on the video once the patrol vehicle camera is activated.</p> <p>The first forward and rear facing camera video clips from Officer Caruso's patrol vehicle show him following Officer Maka and Officer Caruso's patrol vehicle as they approach the suspicious subject call. The video has no pertinent video and both the front and rear camera videos end at 11:10:47 hours.</p> <p>Officer Caruso's front facing patrol vehicle camera is re-activated at 11:11:43 hours, as a silver colored Honda Civic drove past Officer Maka in the opposite direction. Officer Caruso's camera continued to record until 11:14:17</p>			
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hours, as he attempted to locate the vehicle.

At 11:15:51 hours, Officer Caruso's front and rear patrol vehicle cameras began to record a third video clip. At 11:15:57 hours, Officer Maka and Officer Muller's patrol vehicle can be seen in front of Officer Caruso's patrol vehicle, which had its overhead emergency lights activated.

At 11:16:15 hours, Officer Caruso's front facing patrol vehicle camera captured the suspect vehicle pulled over in front of Officer Maka and Officer Muller's patrol vehicle, and both Officer Maka and Muller exited their patrol vehicle.

At 11:16:16 hours, the suspect vehicle pulled away from Officer Maka and Officer Muller's patrol vehicle and made a right hand turn onto Laurel Drive. Officer Caruso took a position of lead patrol vehicle as he attempted to catch up to the fleeing vehicle. Audio began at 11:16:20 hours, and the suspect vehicle can be seen in front of Officer Caruso's front facing patrol vehicle camera.

At 11:16:35 hours, the suspect vehicle began to slow down and yield to Officer Caruso's emergency siren. The vehicle came to a momentary stop, before accelerating away from Officer Caruso's patrol vehicle.

At 11:16:40 hours, Officer Maka and Officer Muller's patrol vehicle can be seen taking the lead position behind the suspect vehicle. At 11:16:50 hours, the suspect vehicle appeared to stop in front of Officer Maka and Officer Muller's patrol vehicle and Officer Caruso pulled his patrol vehicle around the driver's side of Officer Maka and Officer Muller's patrol vehicle.

At 11:16:54 hours, the suspect vehicle began to accelerate away from the officers again and Officer Caruso took the position of the lead patrol vehicle. At 11:17:14 hours, [REDACTED] (Civilian ride along) can be heard using Officer Caruso's patrol vehicle public announcement system (PA) announcing "pull over" to the driver of the suspect vehicle.

The suspect vehicle approached a dead-end at Hartz Way and began to stop and turn toward River Rock Lane. Officer Caruso pulled his patrol vehicle in front of the suspect vehicle, stopping the vehicle's forward movement. The suspect vehicle is no longer viewable on the forward-facing camera. At 11:17:39 hours, from Officer Caruso's rear facing patrol vehicle camera, the suspect vehicle can be seen reversing away from officers. At 11:17:45 hours, the suspect vehicle accelerated past officers and continued westbound on Hartz Way.

At 11:18:00 hours, Officer Caruso's front facing patrol vehicle camera showed Officer Maka and Officer Muller's patrol vehicle as it attempted to catch up to the suspect vehicle on Front Street. At 11:18:50 hours, Officer Caruso's front facing patrol vehicle camera showed Officer Hall's patrol vehicle stop in front of the suspect vehicle at the intersection of Front Street and Diablo Road. The suspect vehicle appeared to come to a complete stop. At 11:18:53 hours, the suspect vehicle accelerated around the front passenger side of Officer Hall's patrol vehicle, as Officer Hall is seen exiting the driver's side of his patrol vehicle and moving around the rear of his patrol vehicle.

At 11:18:56 hours, shots can be heard via audio from Officer Caruso's front facing patrol vehicle camera and Officer Hall can be seen backing away from the suspect vehicle at a fast pace. At 11:18:58 hours, no more shots can be heard, and Officer Hall began running after the vehicle, which appeared to accelerate through the intersection of Front Street and Diablo Road.

At 11:19:01 hours, Officer Caruso drove his patrol car toward the intersection of Front Street and Diablo Road. At 11:19:07 hours, Officer Caruso's front facing patrol vehicle camera showed the suspect vehicle stopped on the north curb line of westbound Diablo Road and appeared to have collided with a silver Jeep Cherokee. Officer Hall approached the driver's side of the suspect vehicle.

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At 11:19:38 hours, officers pulled the driver (Arboleda) from the driver's seat of the suspect vehicle. At 11:21:00 hours, officers began treating Arboleda's injuries and placing AED pads on Arboleda. At 11:22:00 hours, officers began CPR on Arboleda. At 11:24:00 hours, San Ramon Valley Fire took over life saving measures for Arboleda and officers were relieved. At 11:29:14 hours, San Ramon Valley Fire Medic 31 transported Arboleda to the hospital.

There is no further pertinent information viewed on Officer Caruso's patrol vehicle cameras and the cameras are turned off at 12:26:42 hours.

NFI.

Attachments:

- 1- (1) Sergeant Martin's transcribed interview
- 2- Newark PD reports
- 3-(191) Digital photographs
- 4-(1) Officer Maka's transcribed interview
- 5-(1) Officer Muller's transcribed interview

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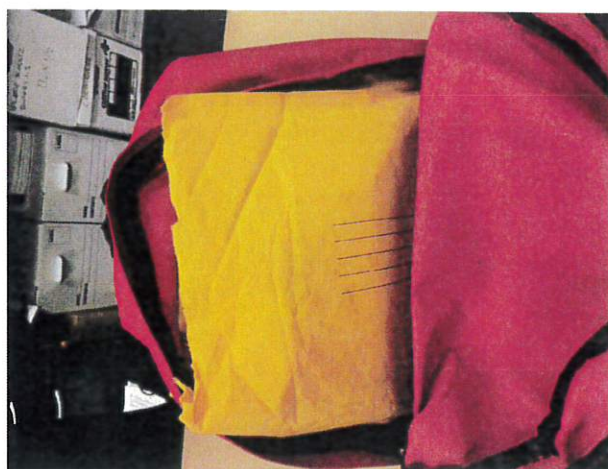
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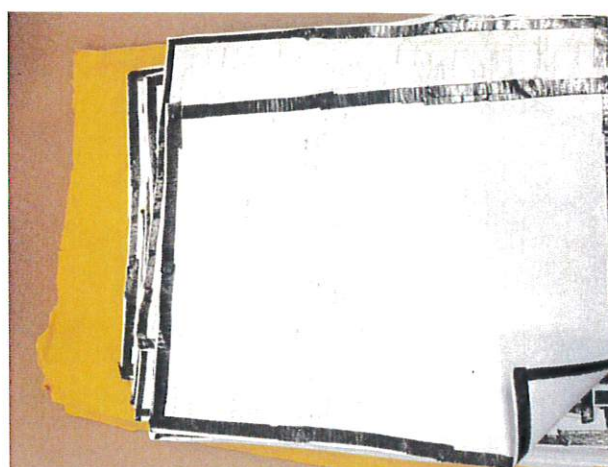
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0010



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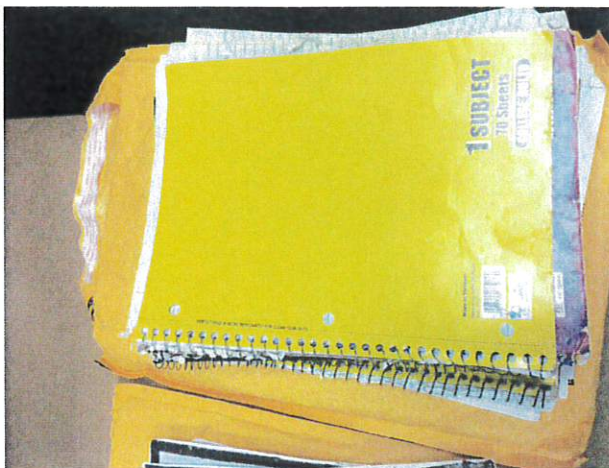


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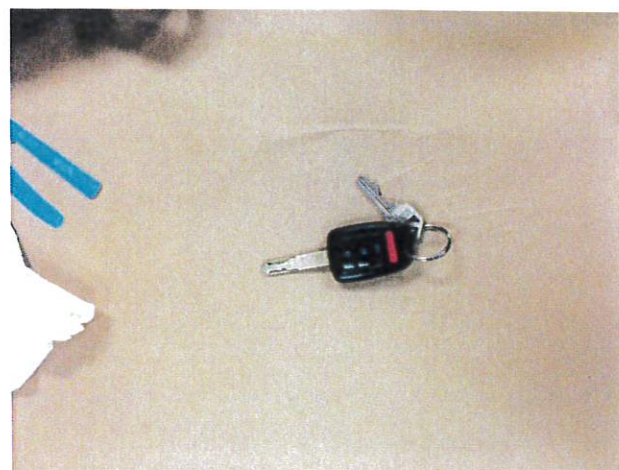
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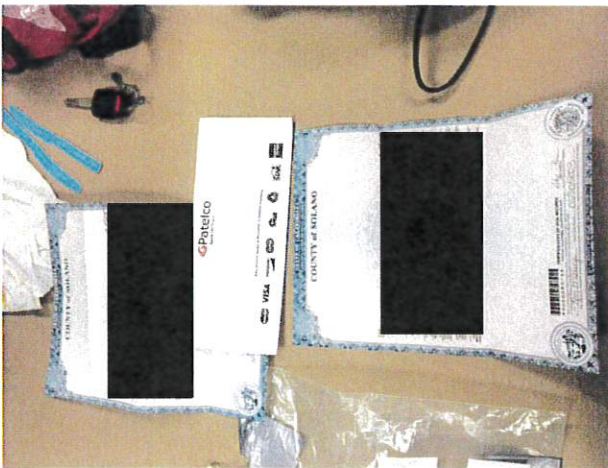


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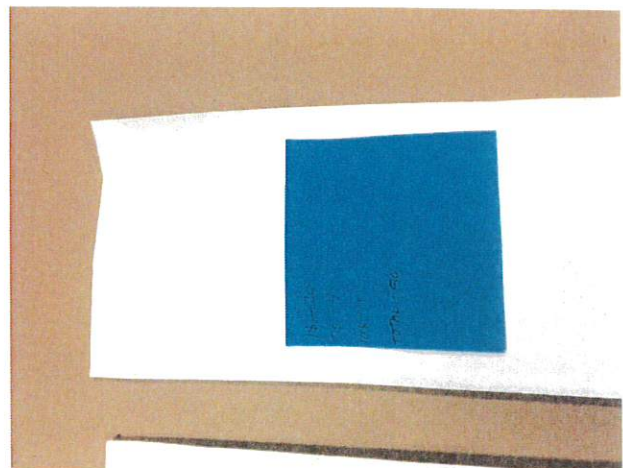
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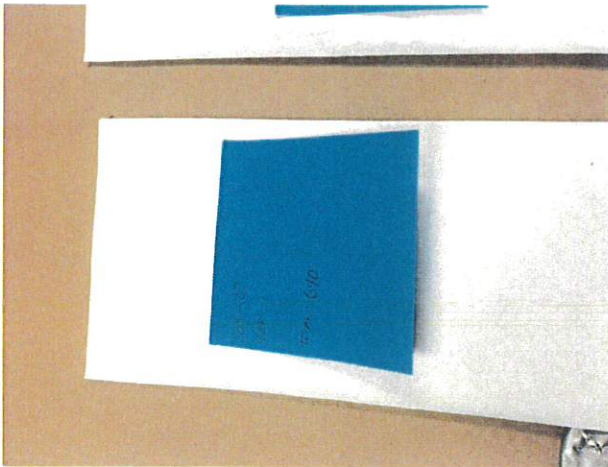
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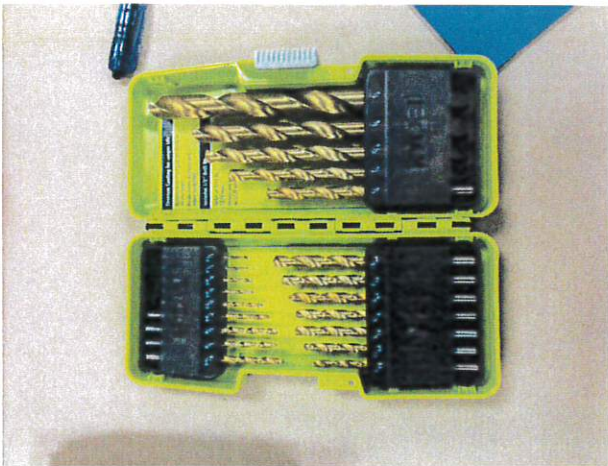


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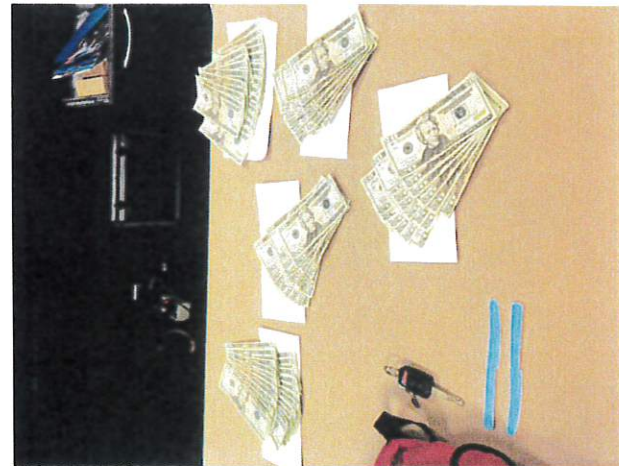
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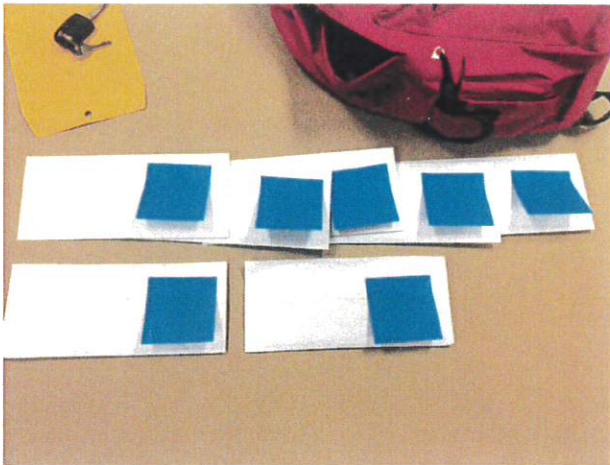
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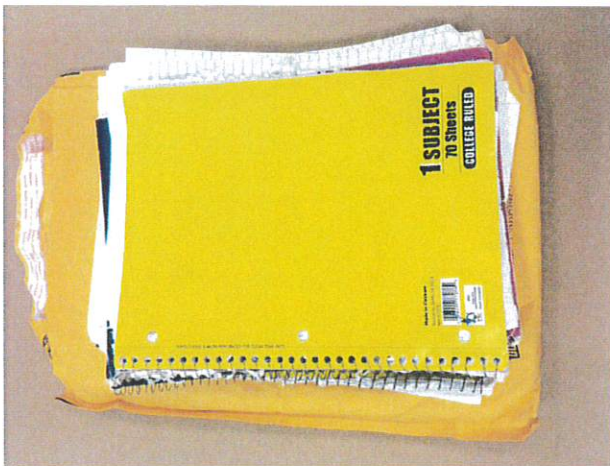
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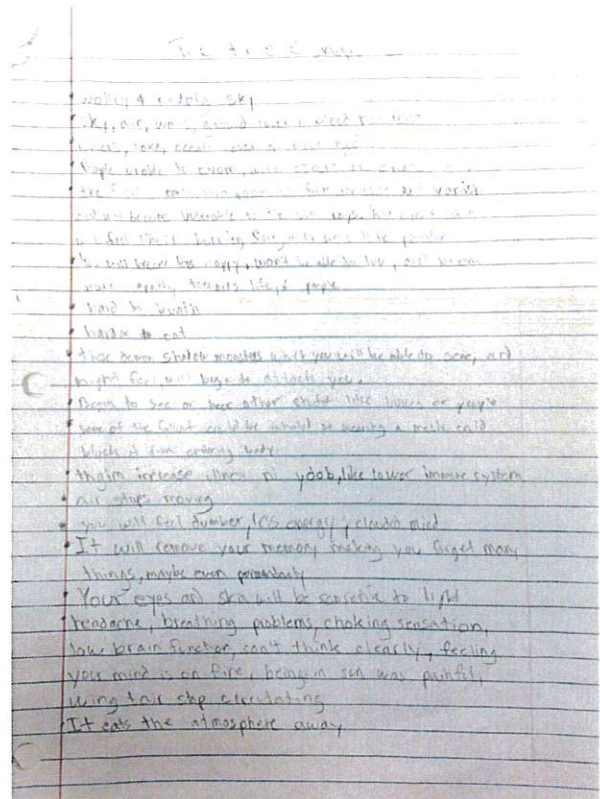
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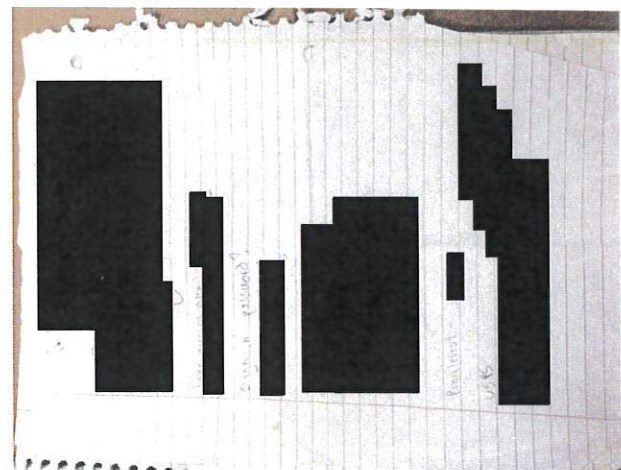
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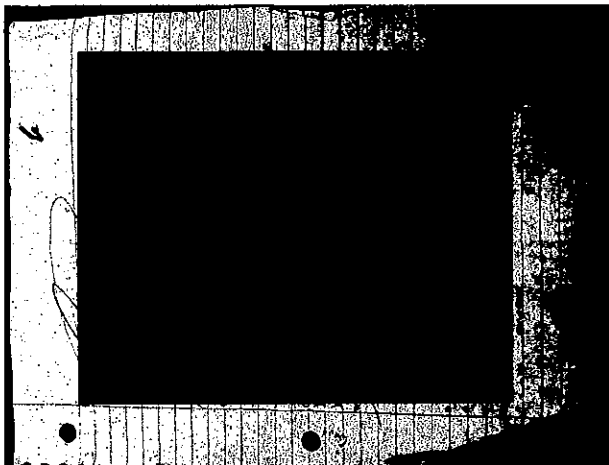
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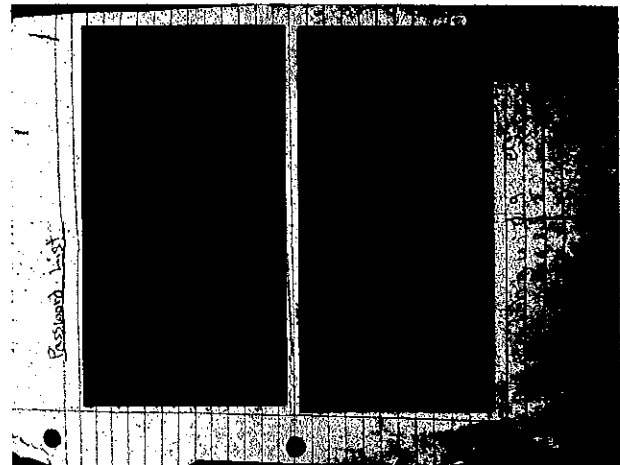


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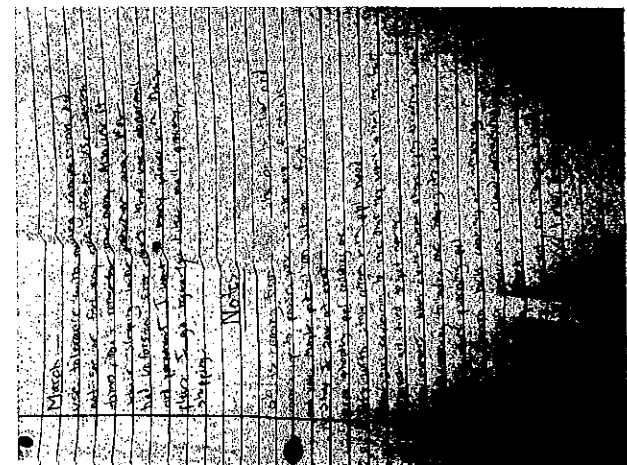
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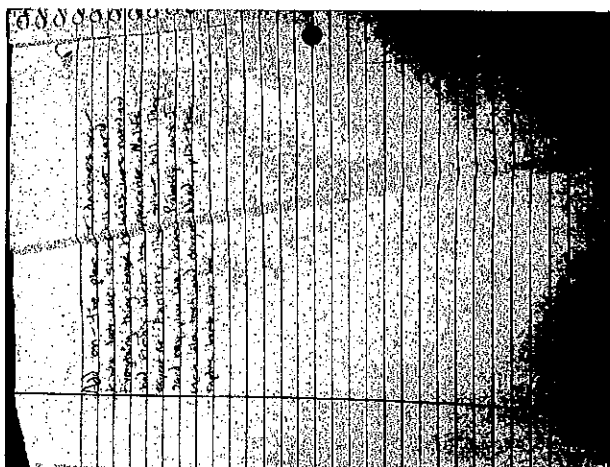
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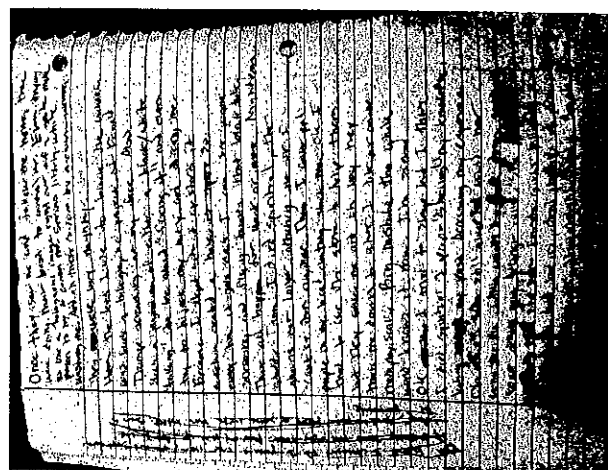
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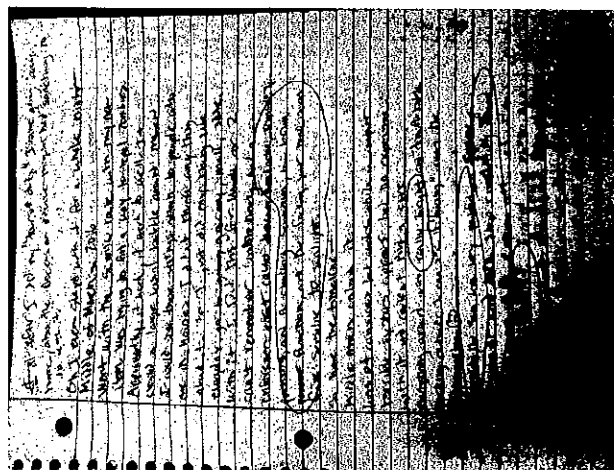


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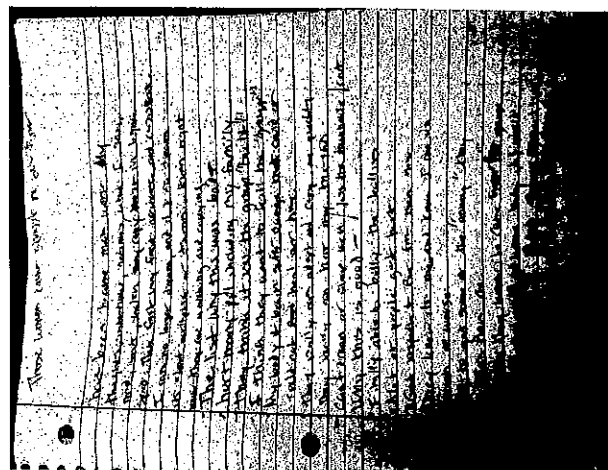
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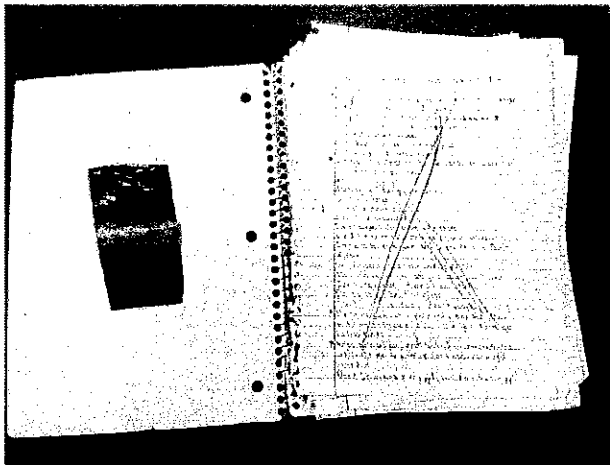
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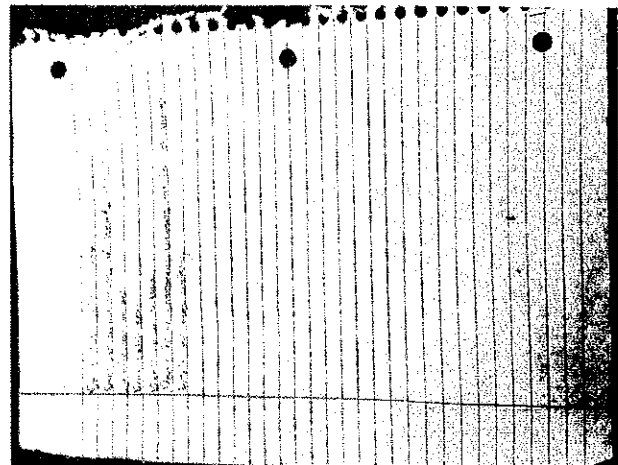
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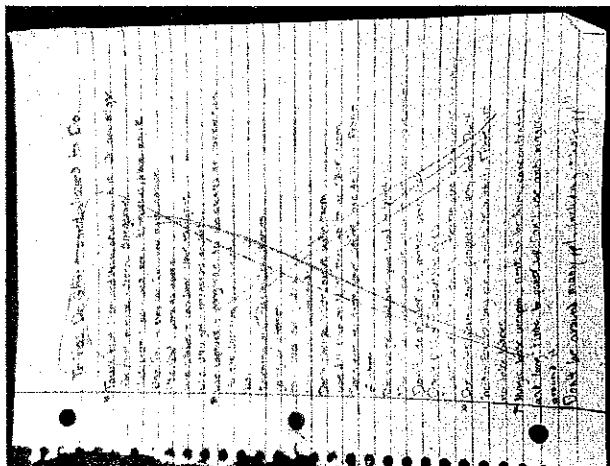


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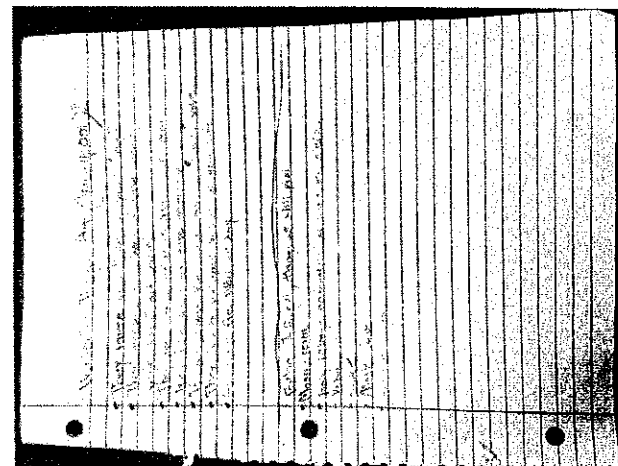
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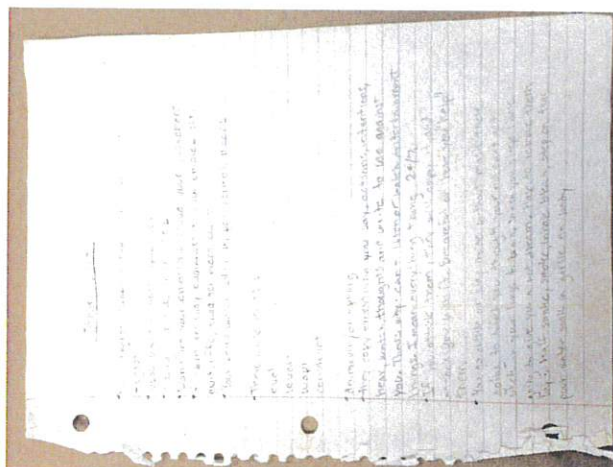
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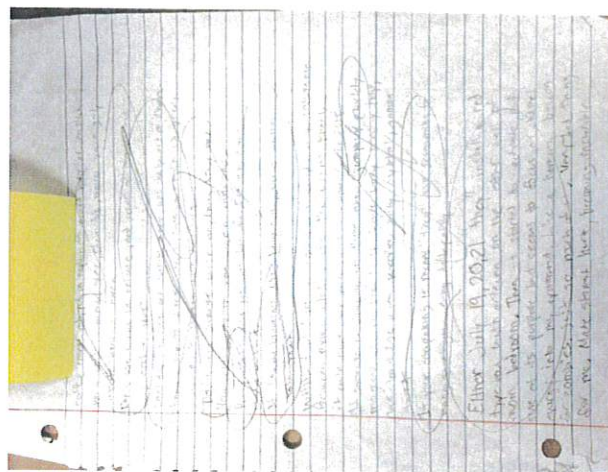
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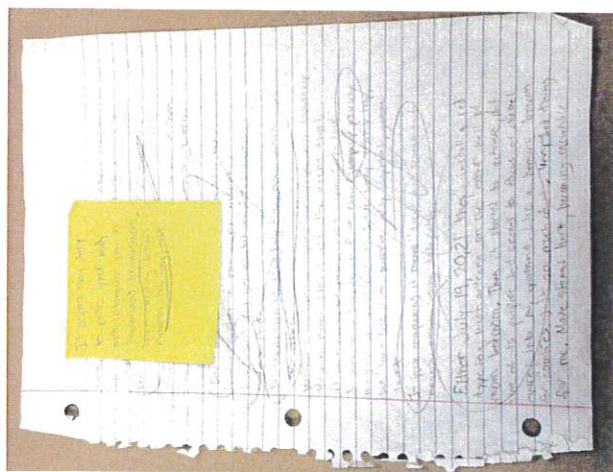


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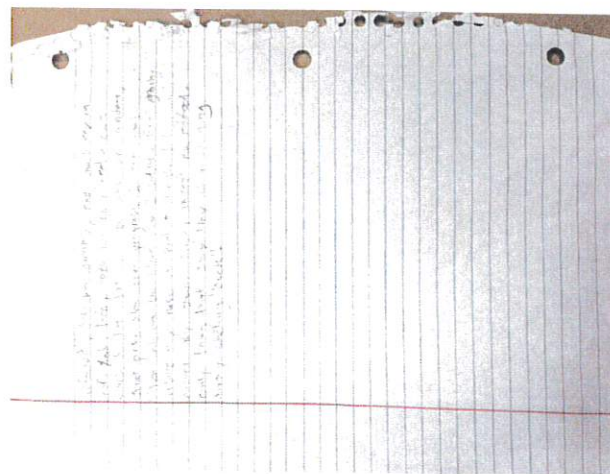
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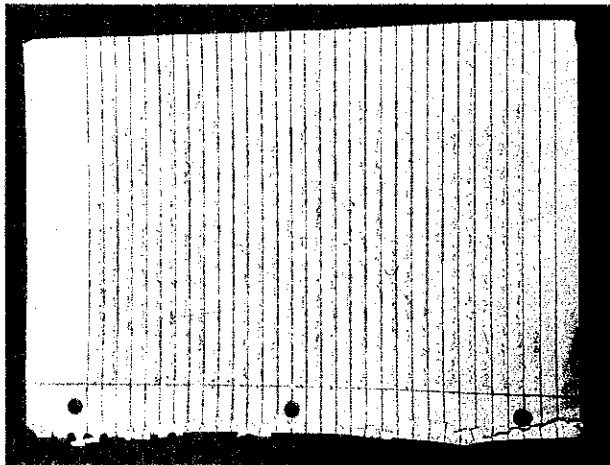
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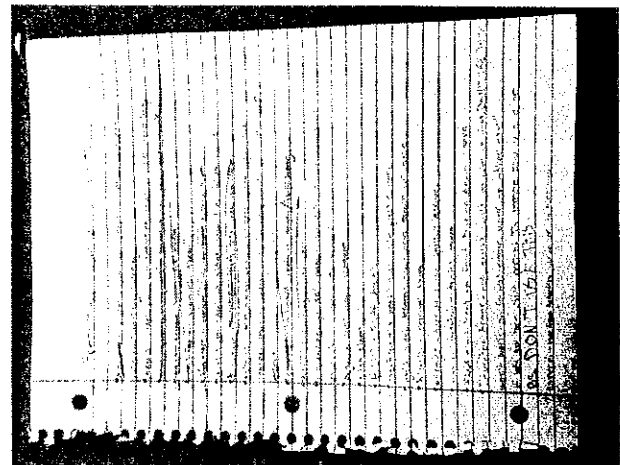
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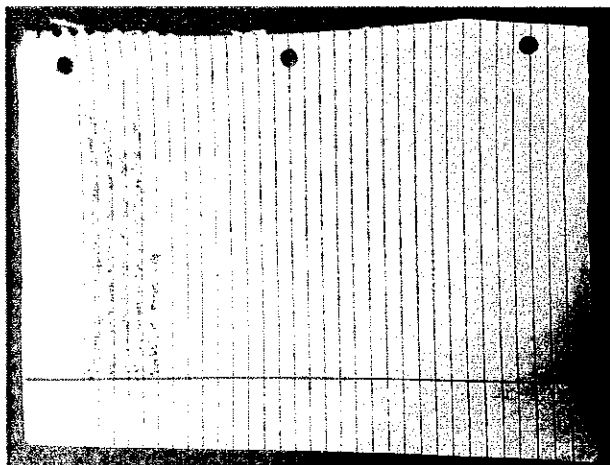


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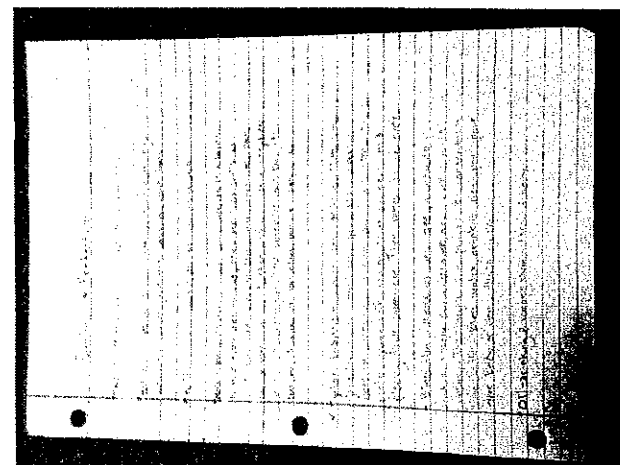
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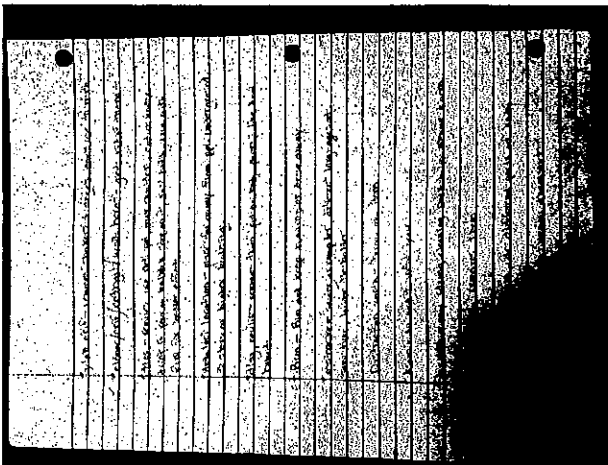
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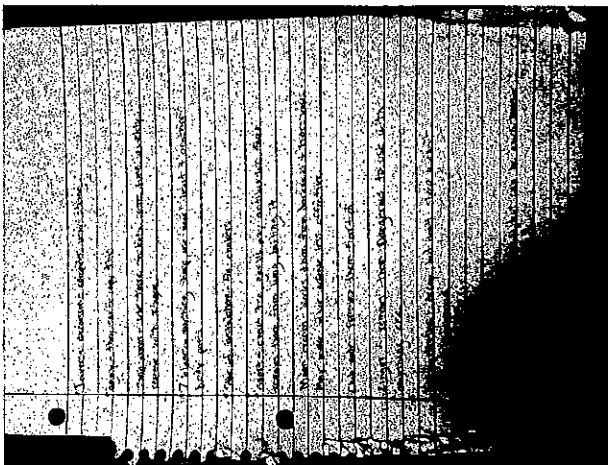
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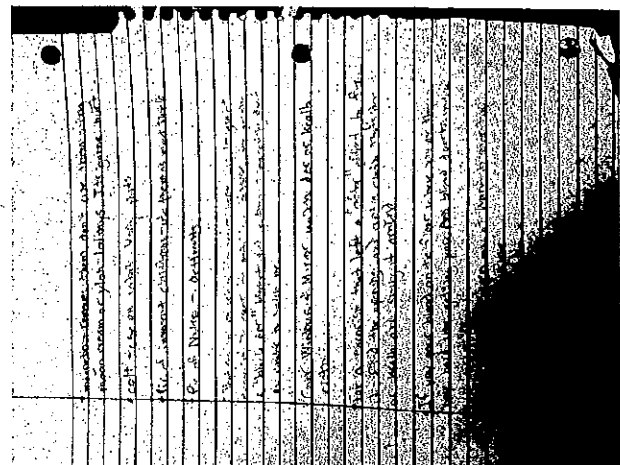
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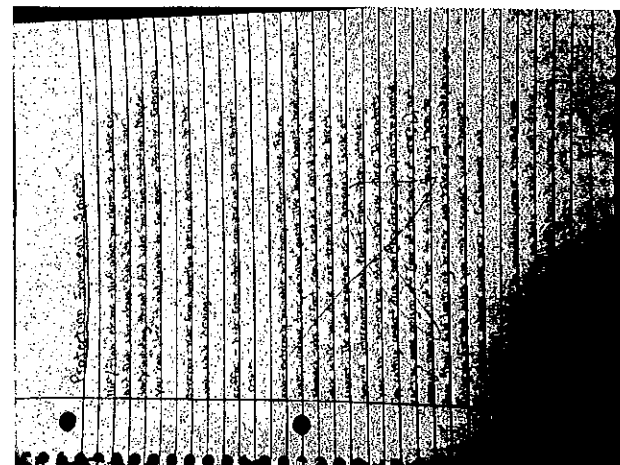
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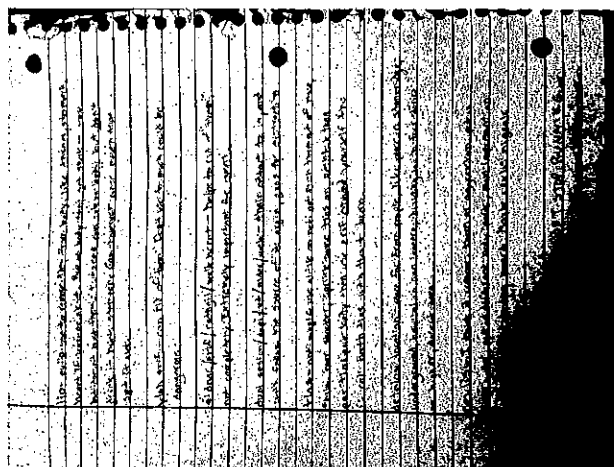
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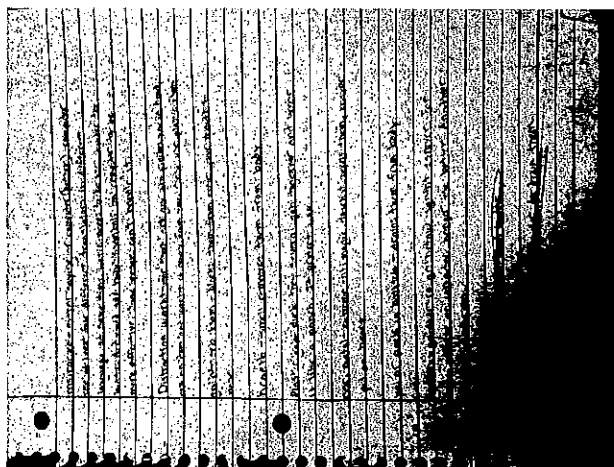
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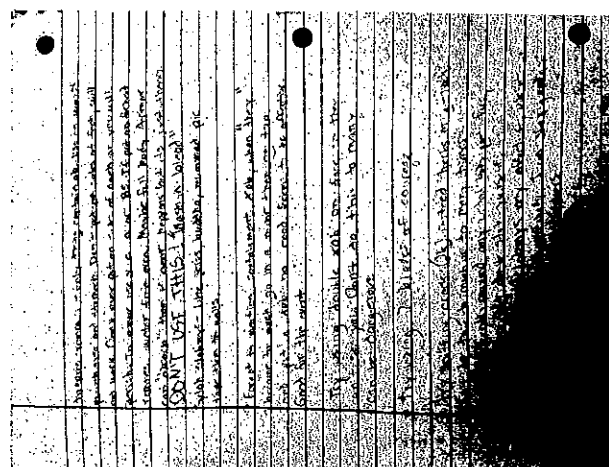
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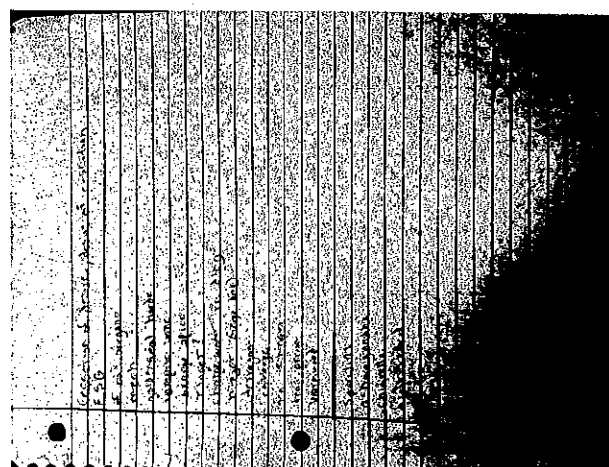
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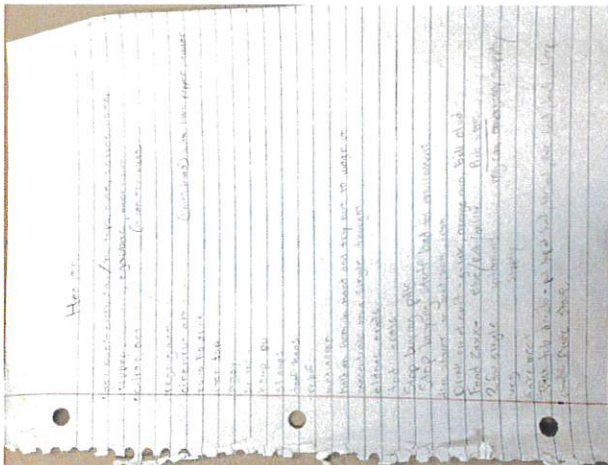
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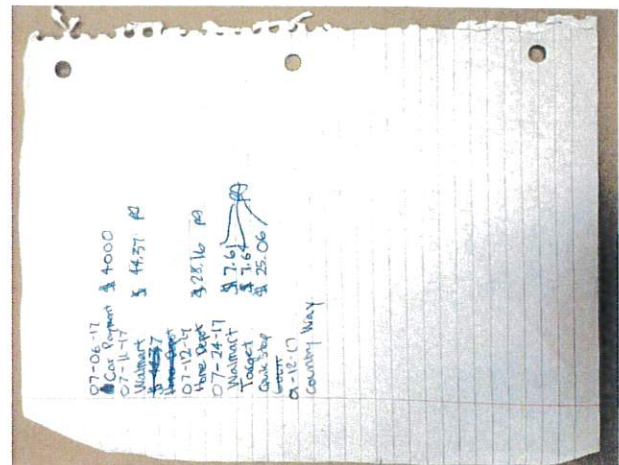


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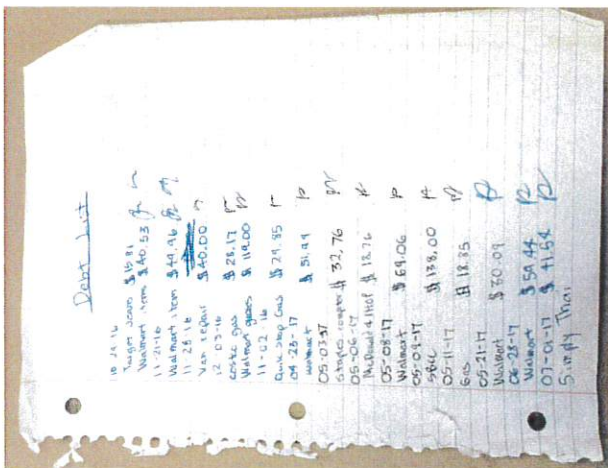


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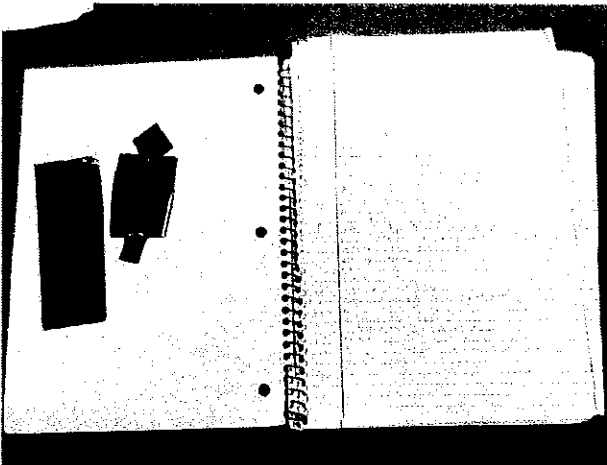


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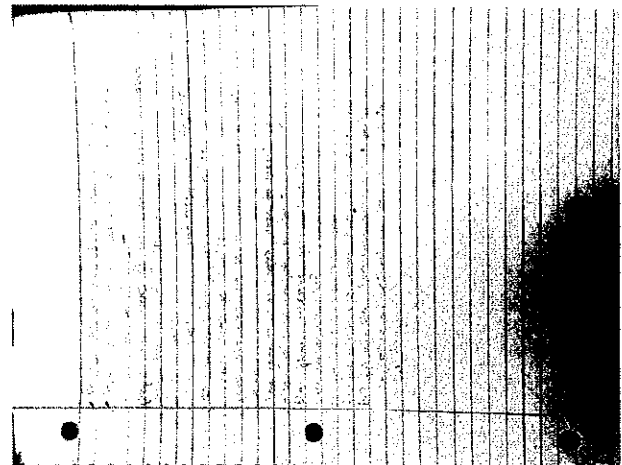
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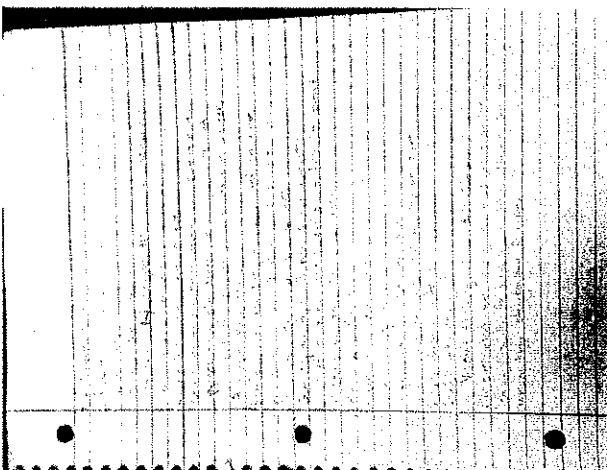


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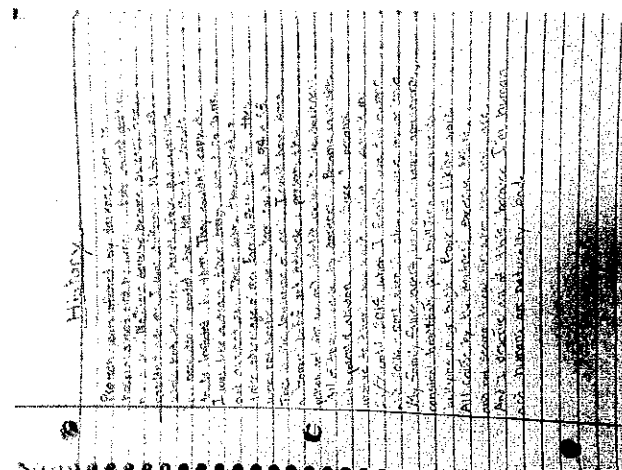
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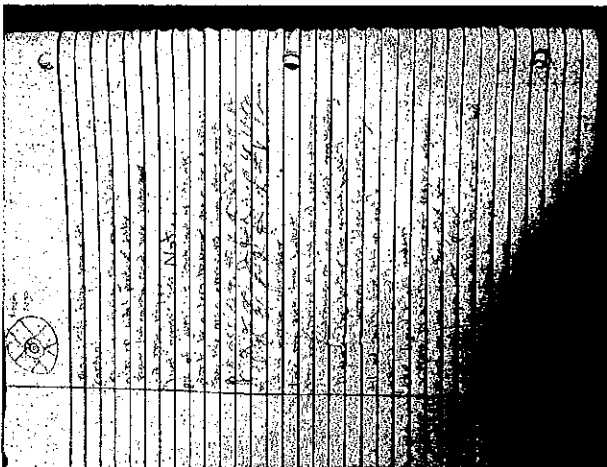
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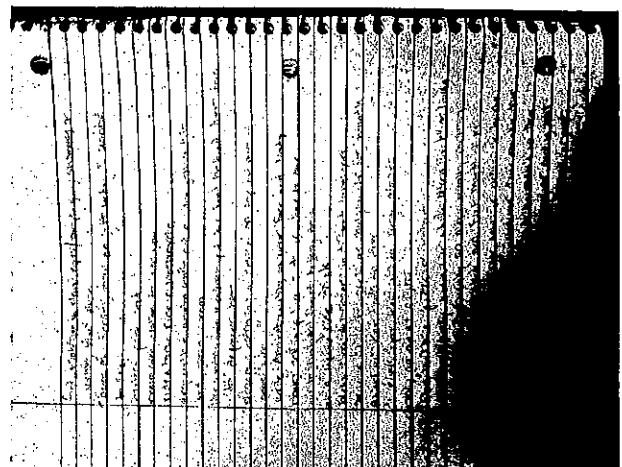
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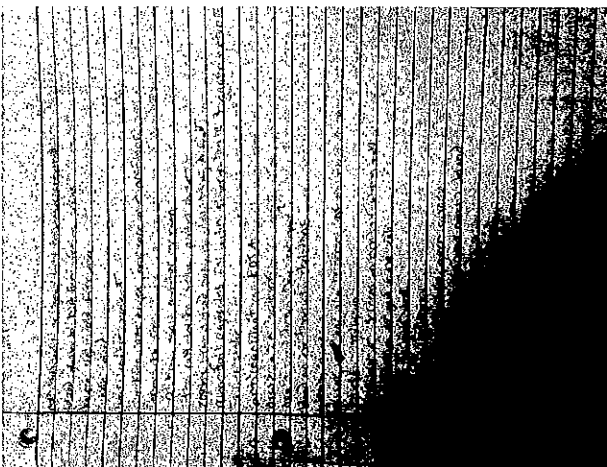


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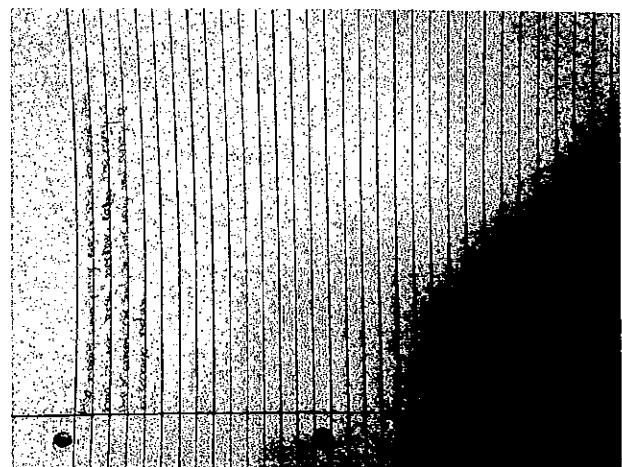
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IMG_0857.JPG

0095

3/10/1995 10:00 AM - 10:15 AM
1. The first thing I noticed when I stepped out of the house was the smell of smoke. It was a strong, acrid smell that filled the air. I looked around and saw that the smoke was coming from the kitchen. I went into the kitchen and saw that the stove was on fire. I tried to put it out with the fire extinguisher, but it didn't work. I ran out of the house and called the fire department. They arrived within 10 minutes and put out the fire. The fire was caused by a gas leak. The gas had leaked from the stove and had ignited. The fire was very small, but it was dangerous because it was in the kitchen. I was lucky that I noticed it early and was able to get it out. I will be more careful in the future.

IMG_0858.JPG

0096

1. The first thing I noticed when I stepped out of the house was the smell of smoke. It was a strong, acrid smell that filled the air. I looked around and saw that the smoke was coming from the kitchen. I went into the kitchen and saw that the stove was on fire. I tried to put it out with the fire extinguisher, but it didn't work. I ran out of the house and called the fire department. They arrived within 10 minutes and put out the fire. The fire was caused by a gas leak. The gas had leaked from the stove and had ignited. The fire was very small, but it was dangerous because it was in the kitchen. I was lucky that I noticed it early and was able to get it out. I will be more careful in the future.

IMG_0859.JPG

0097

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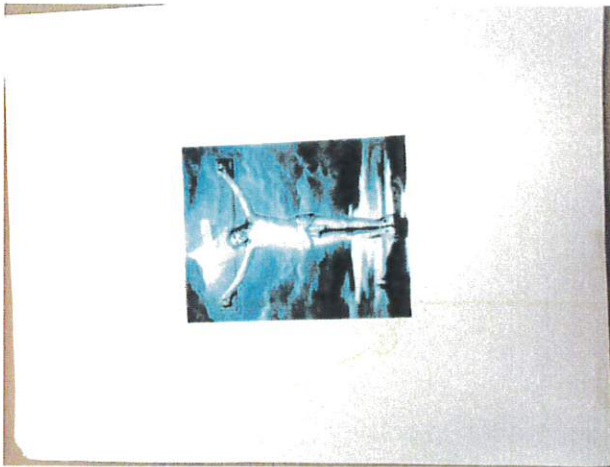
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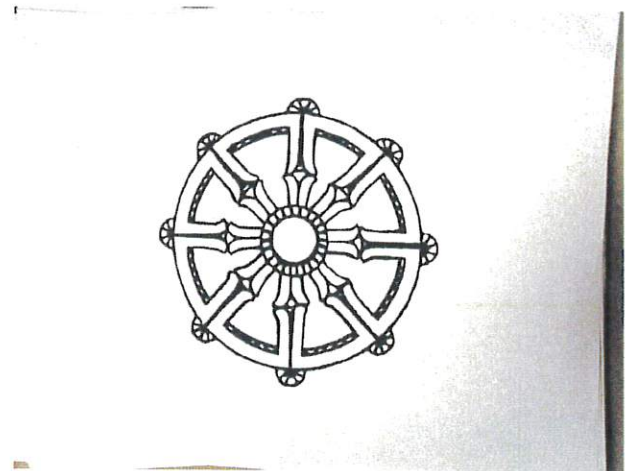


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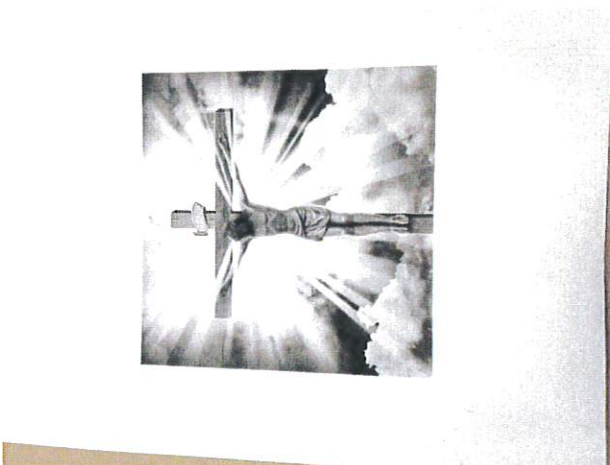


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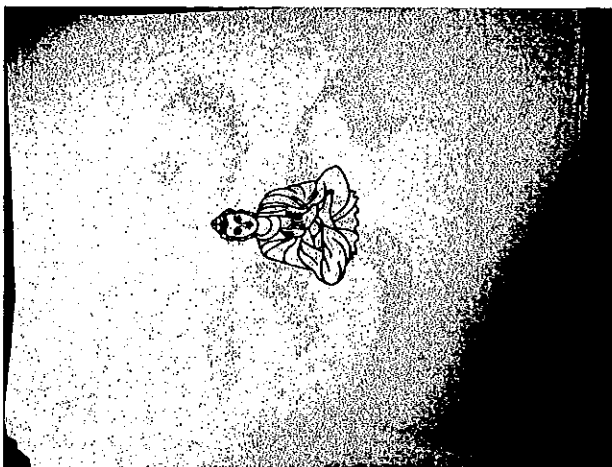
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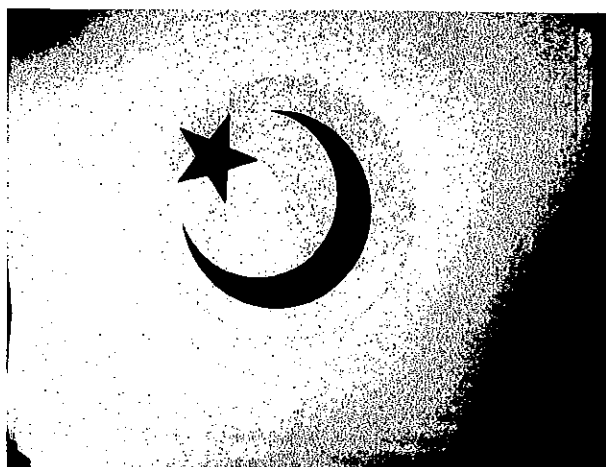
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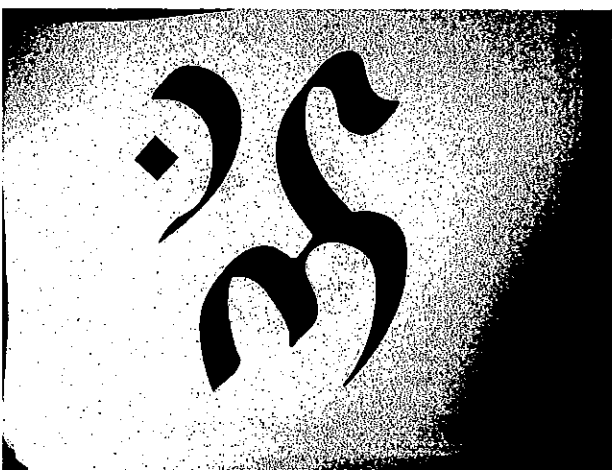


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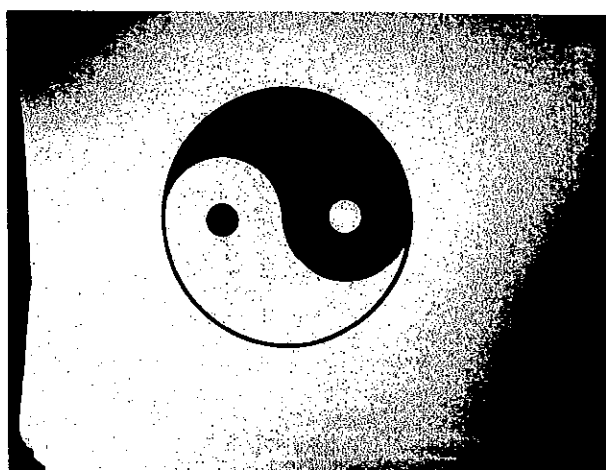
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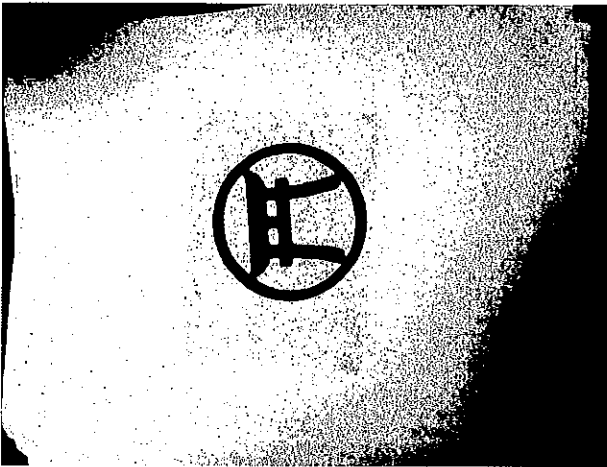
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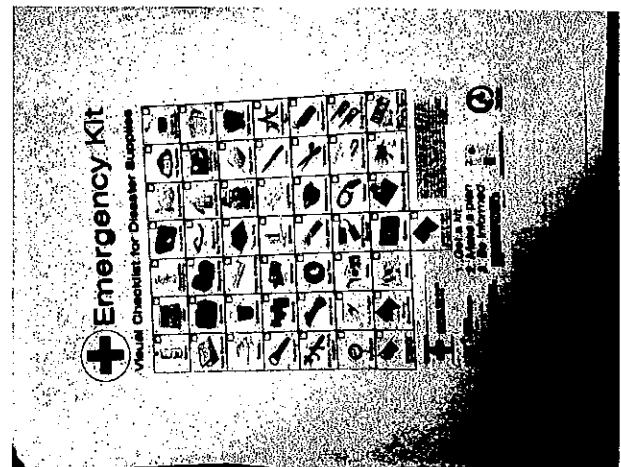
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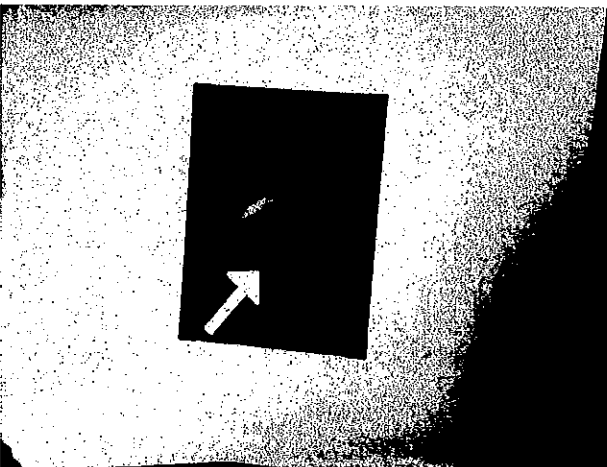


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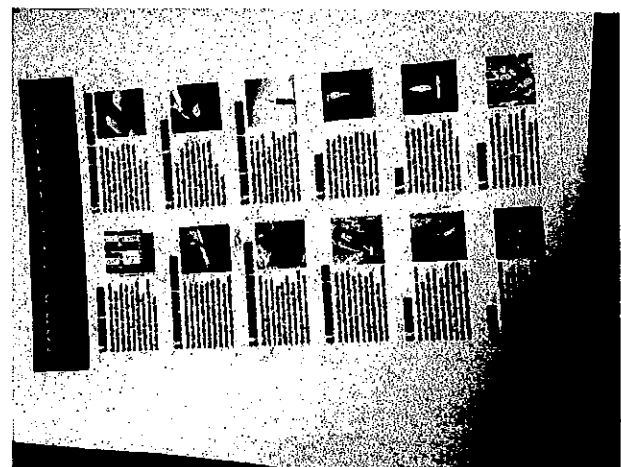
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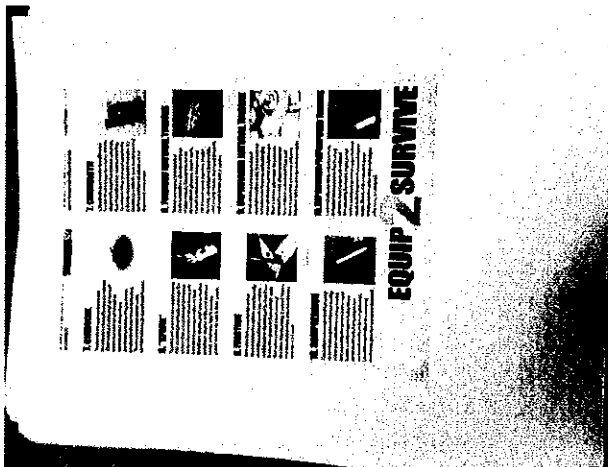
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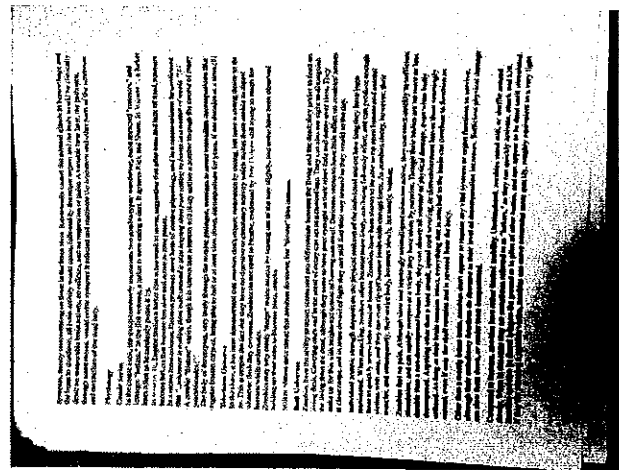
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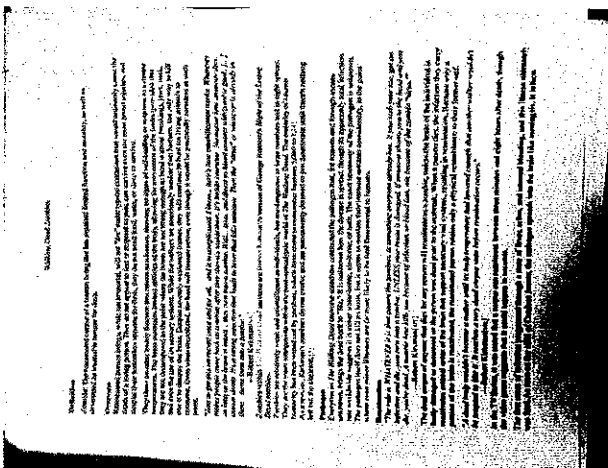


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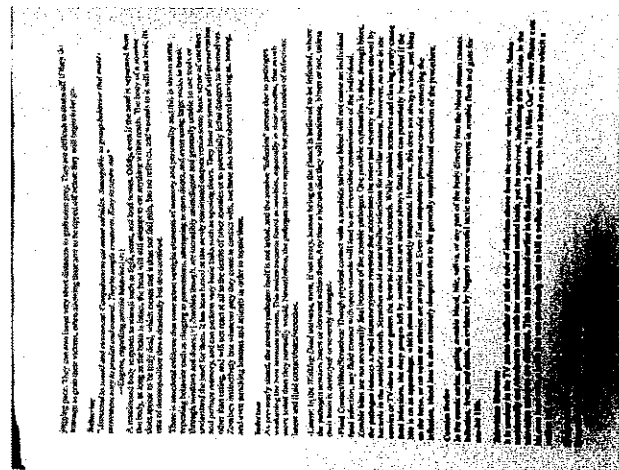
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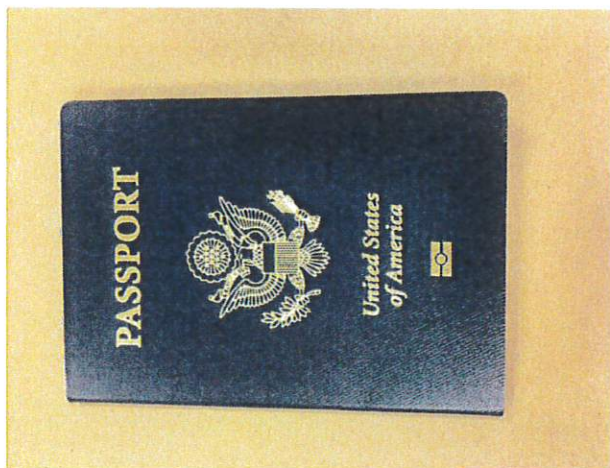
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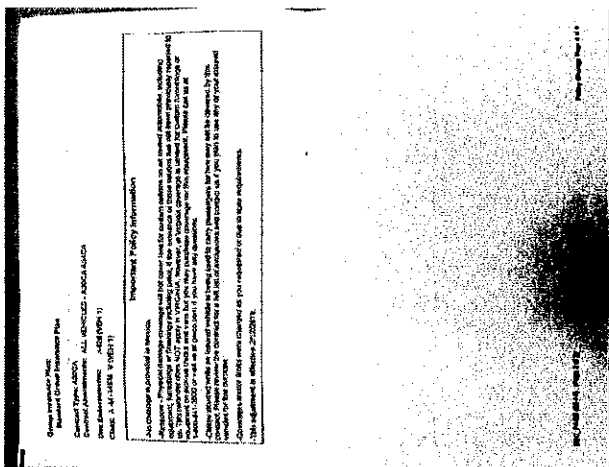
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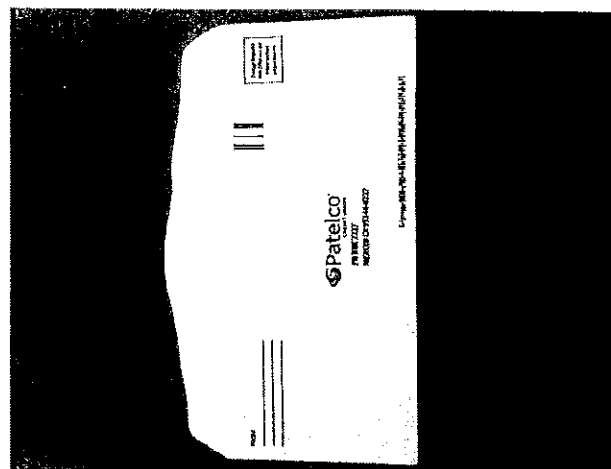


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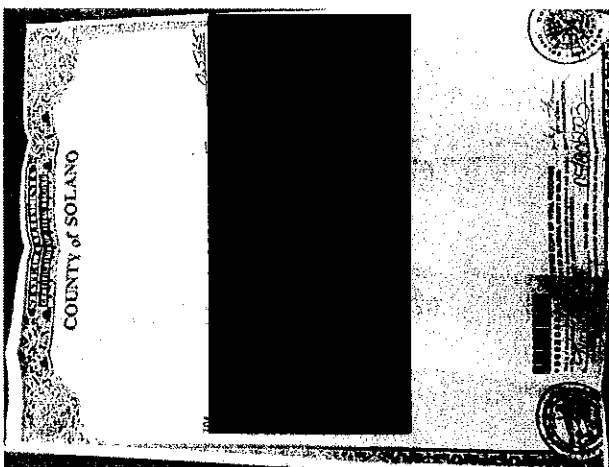


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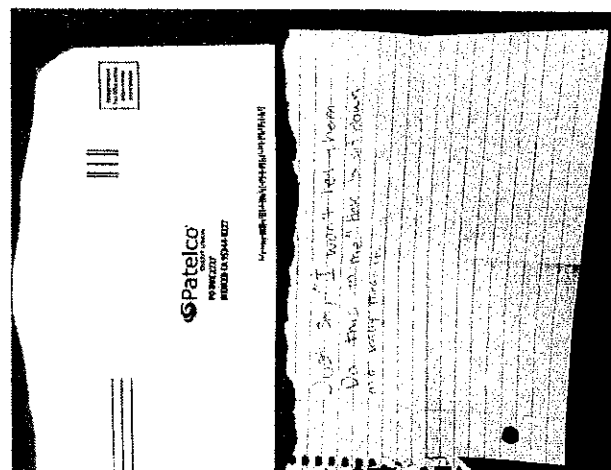
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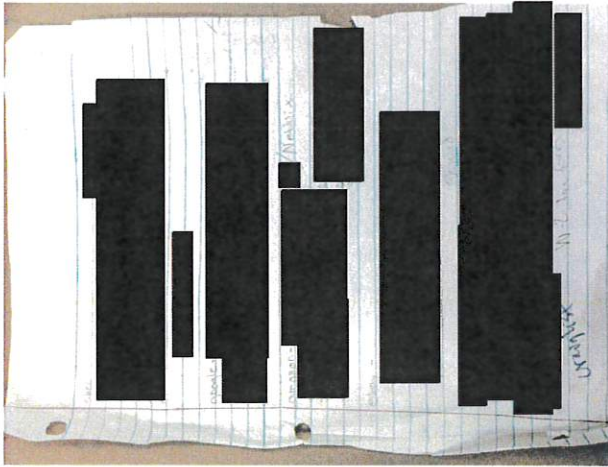
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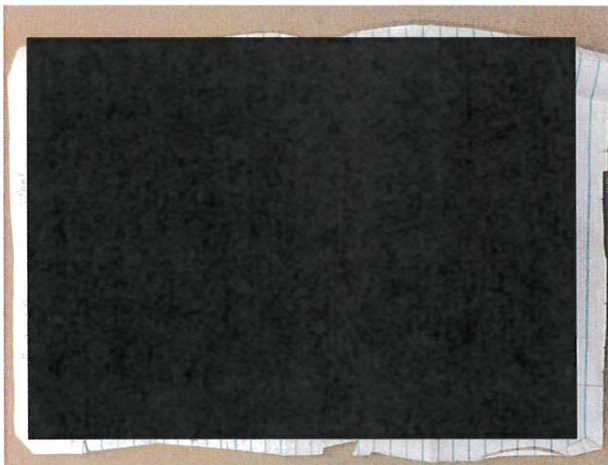


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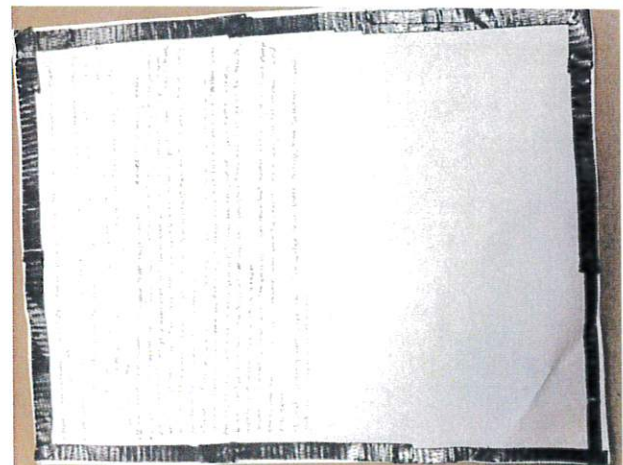
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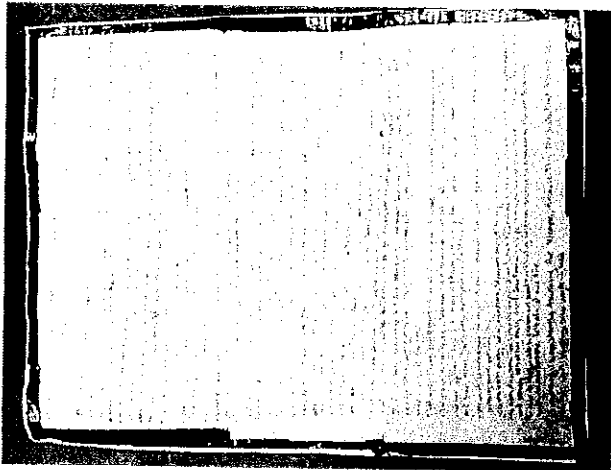
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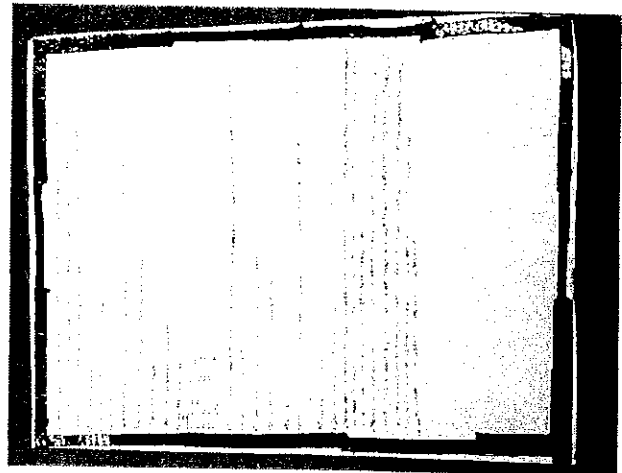
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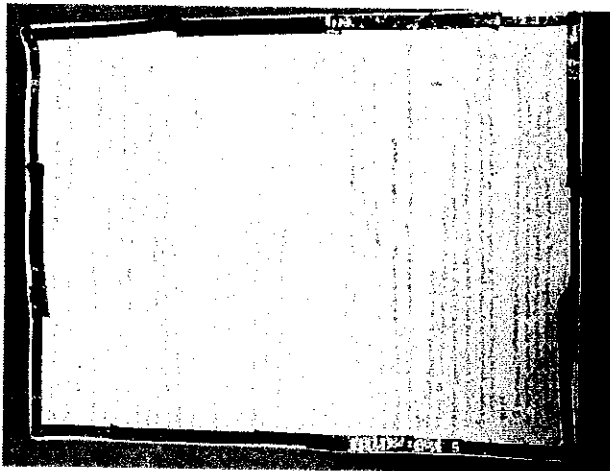
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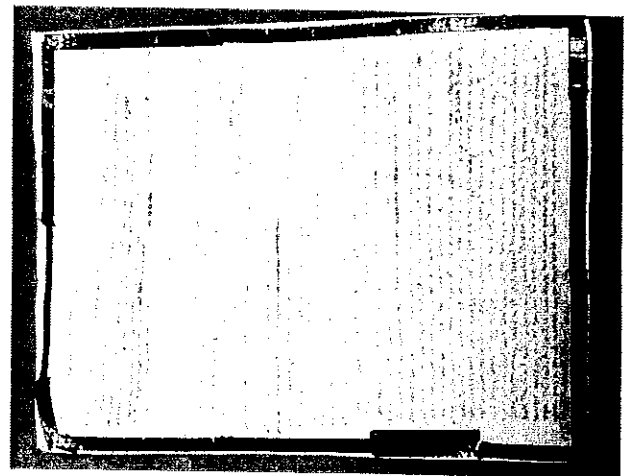
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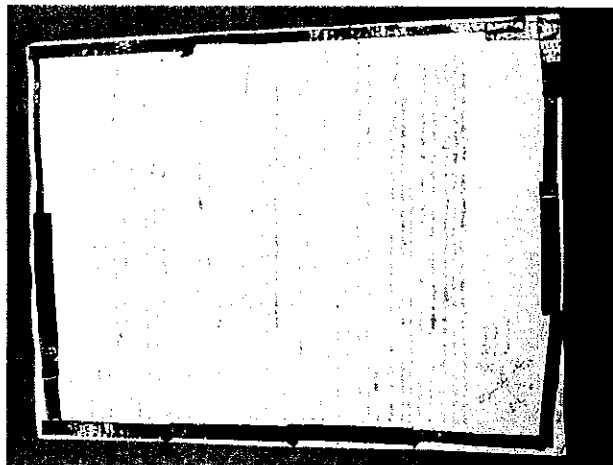
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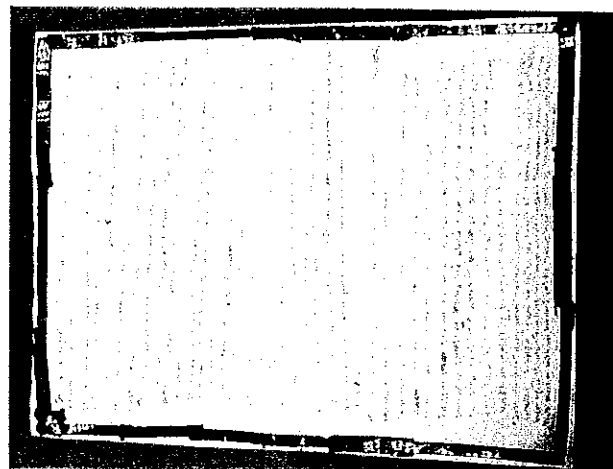
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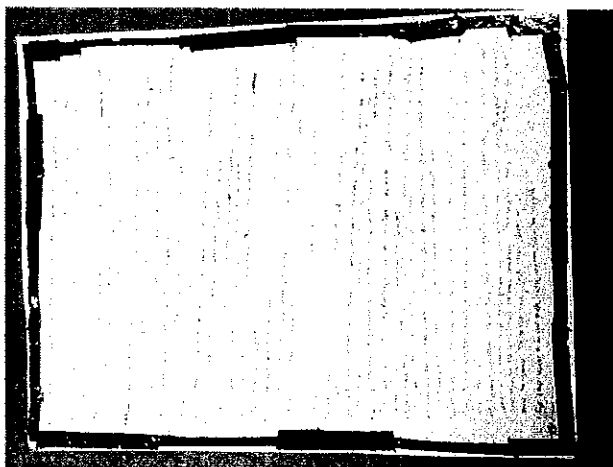


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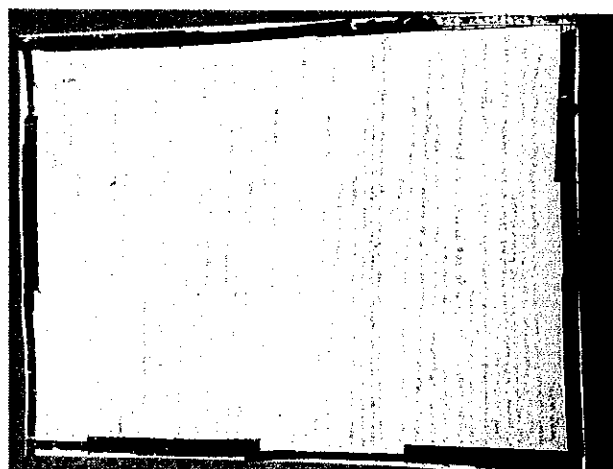
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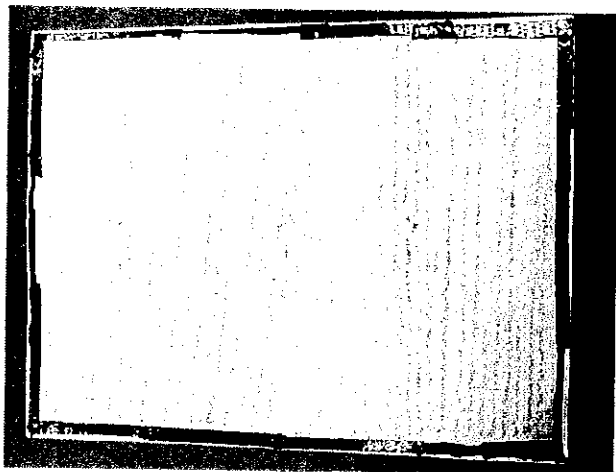
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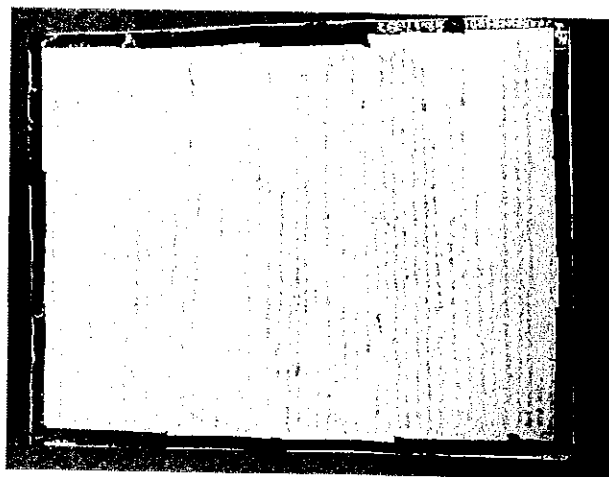
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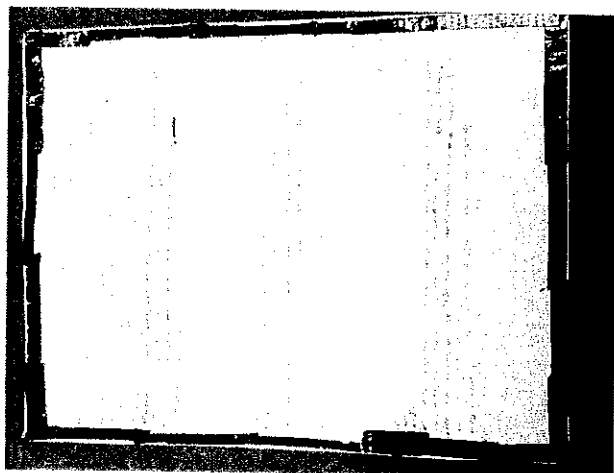
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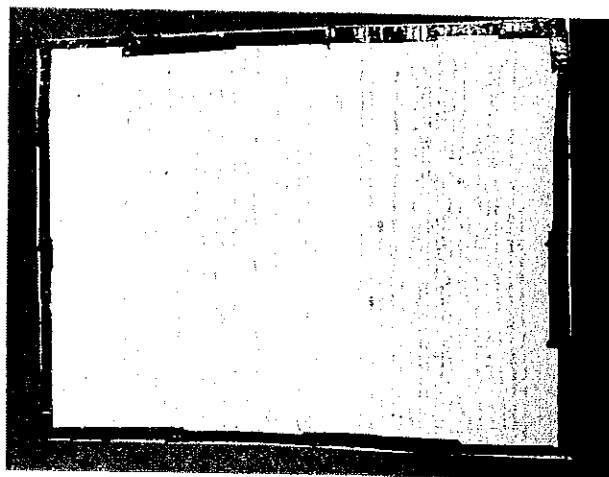
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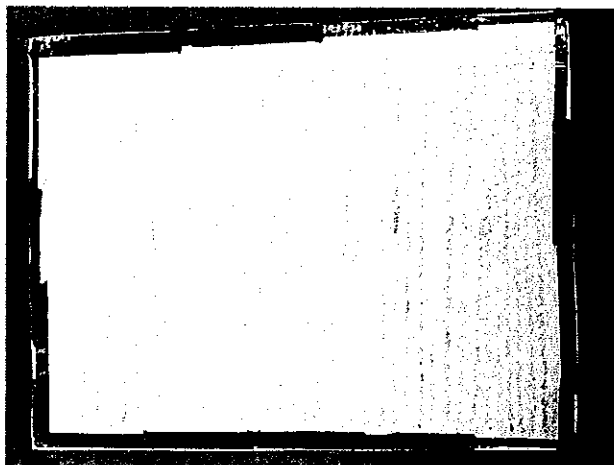
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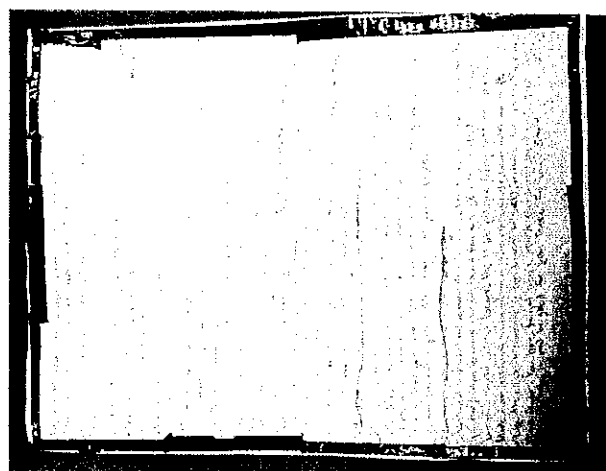
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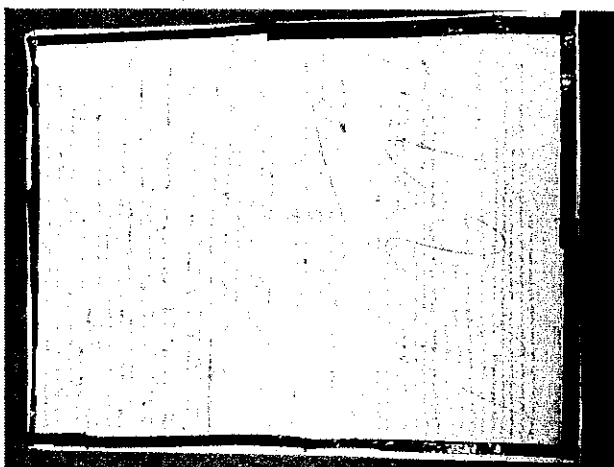


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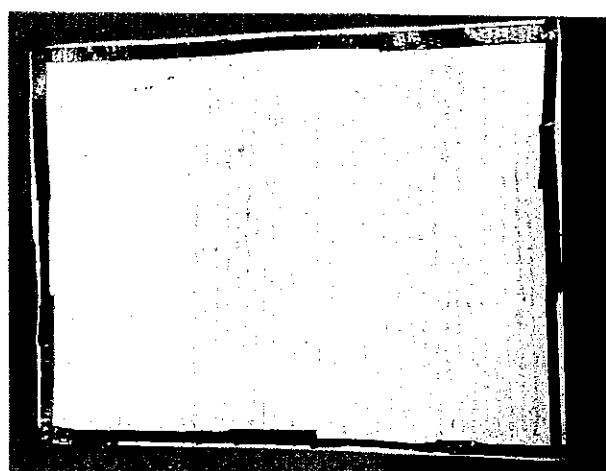
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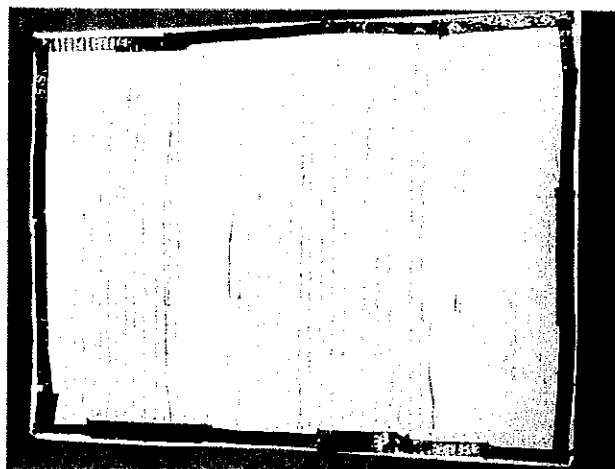
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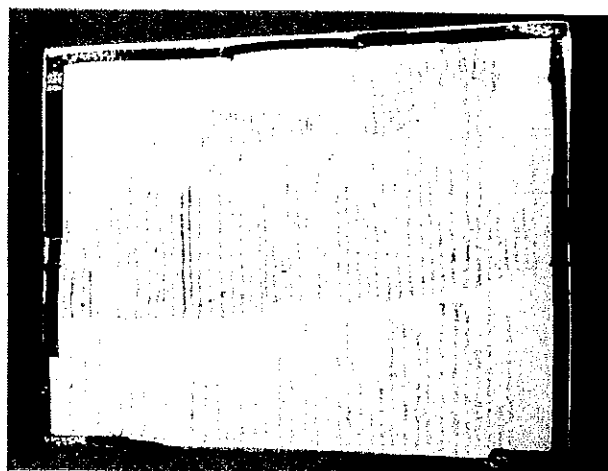
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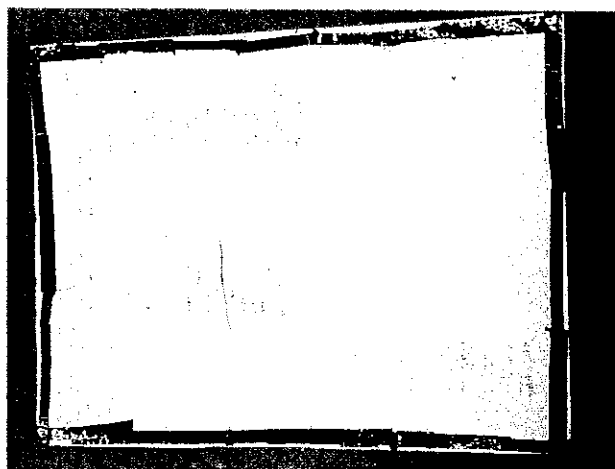


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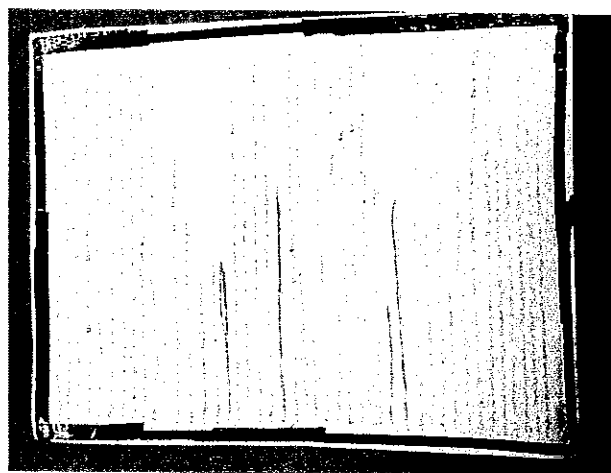
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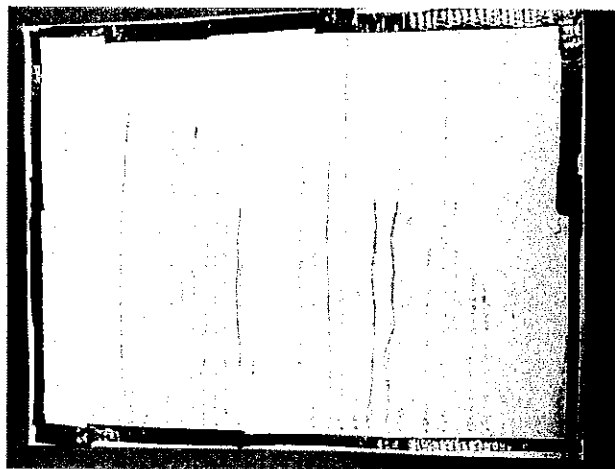
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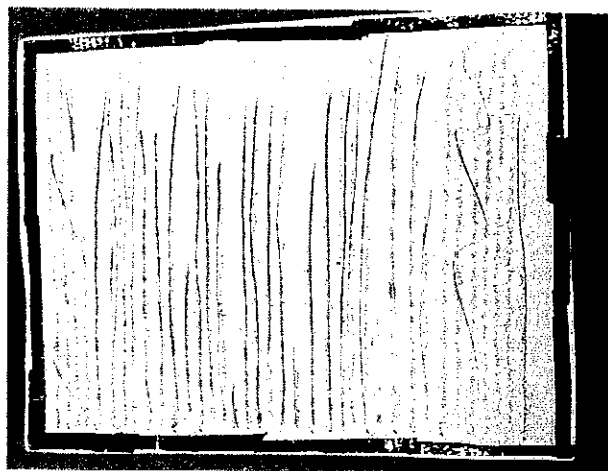
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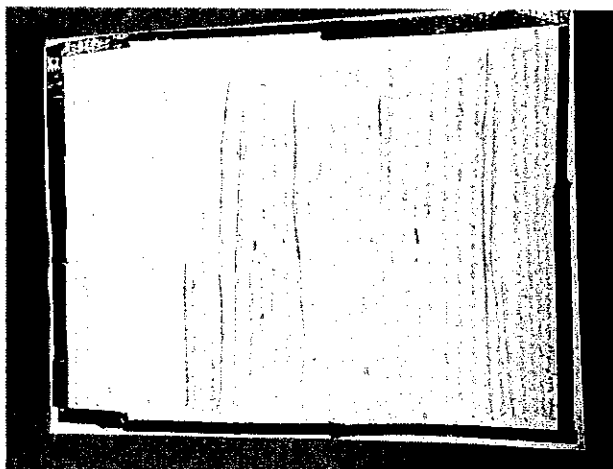


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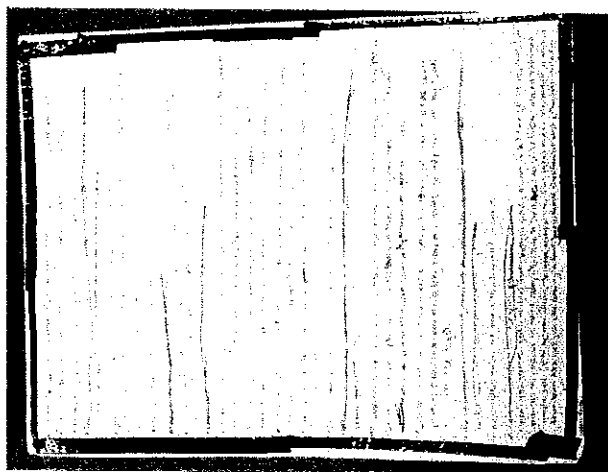
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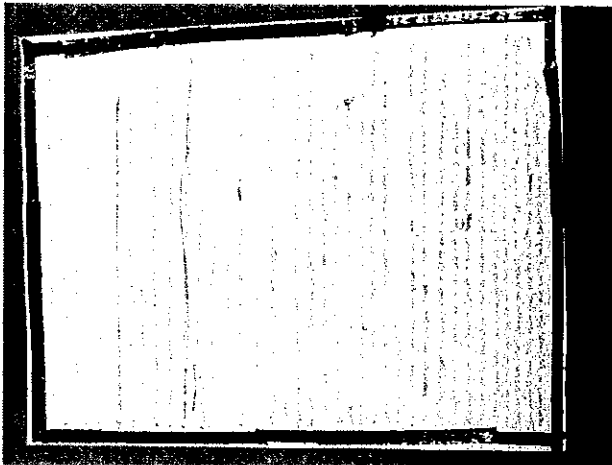
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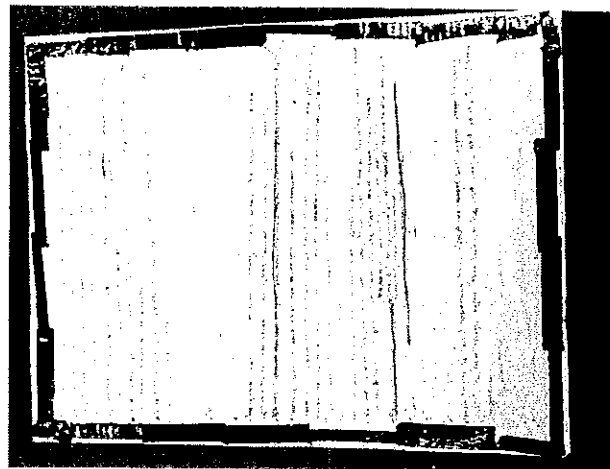
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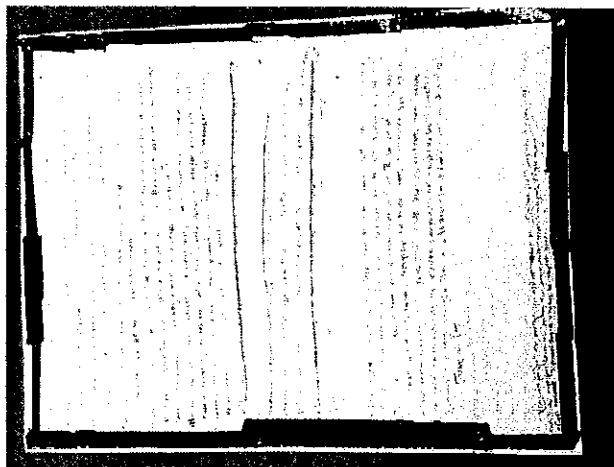


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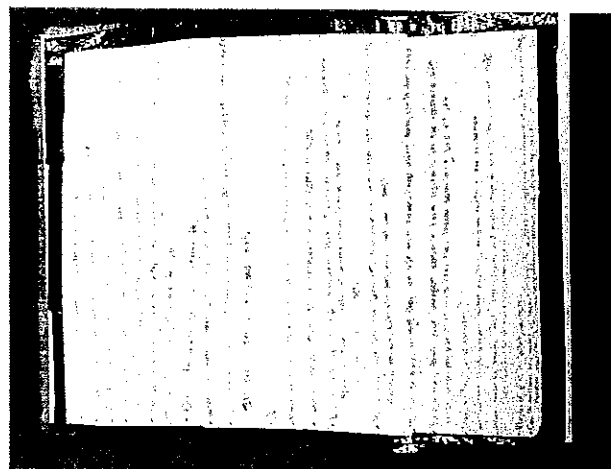
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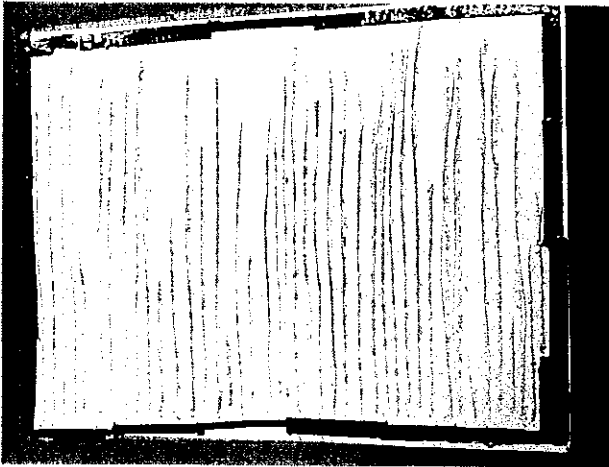
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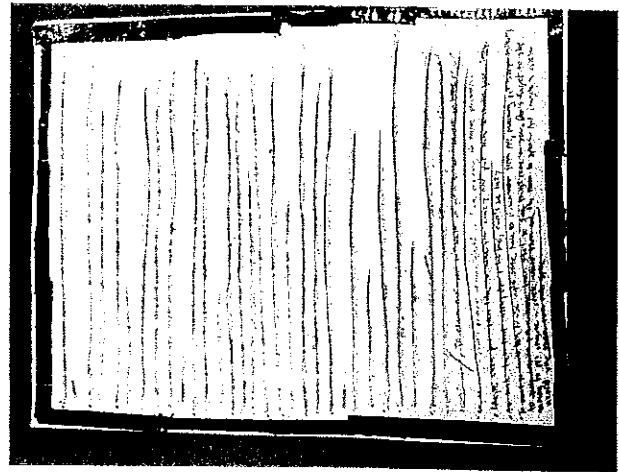
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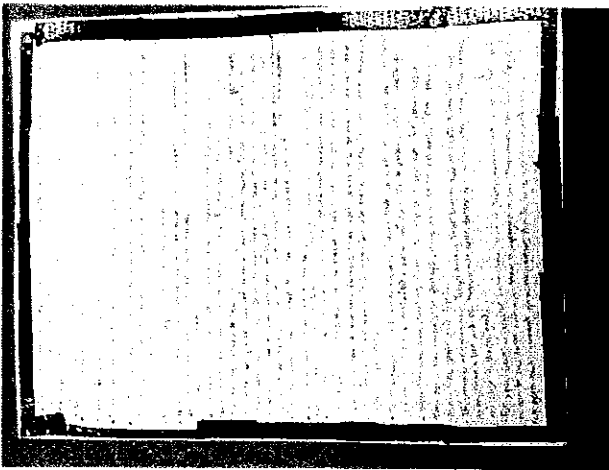


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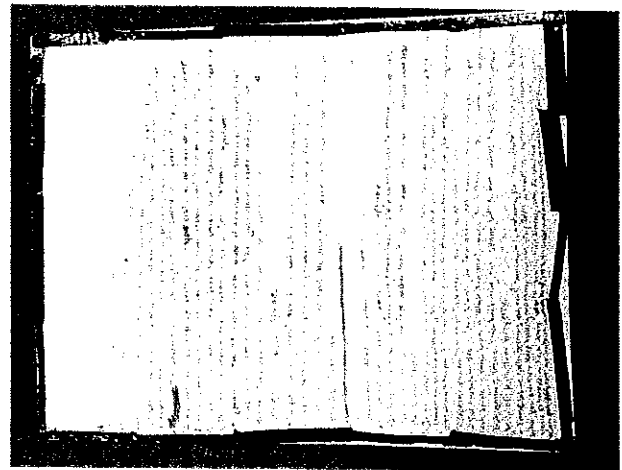
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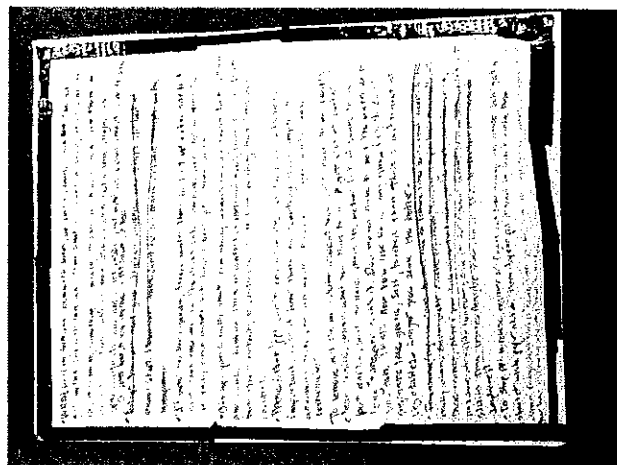
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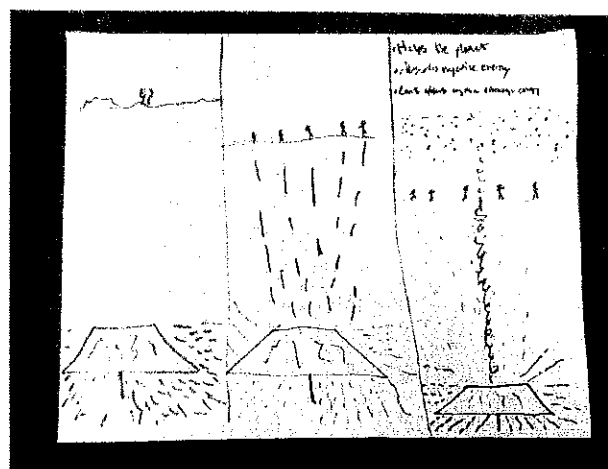
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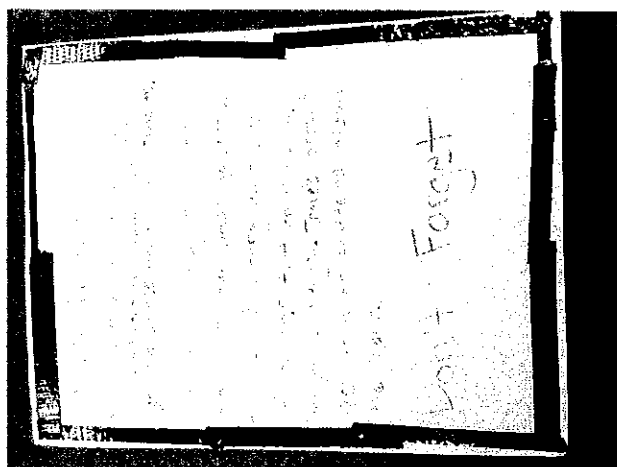


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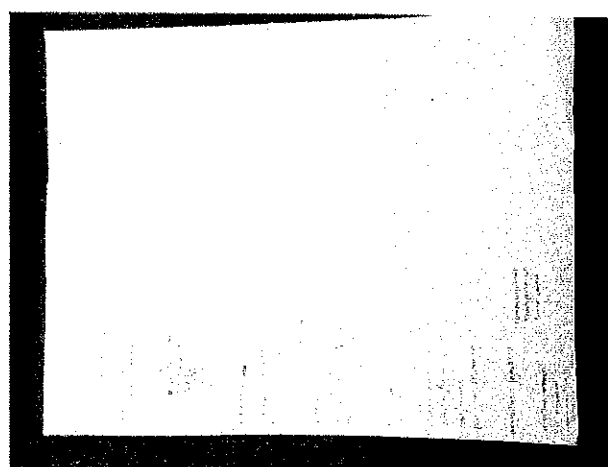
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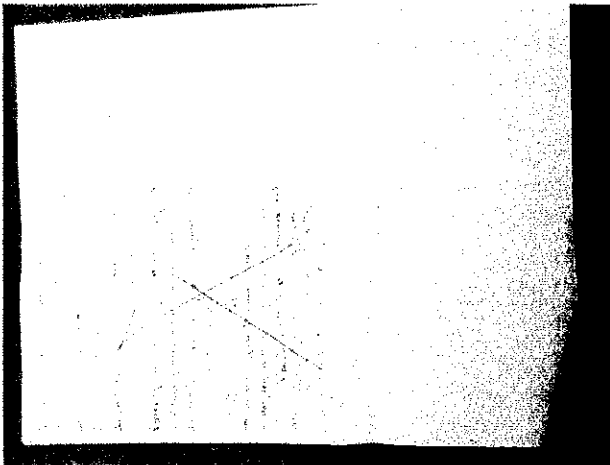
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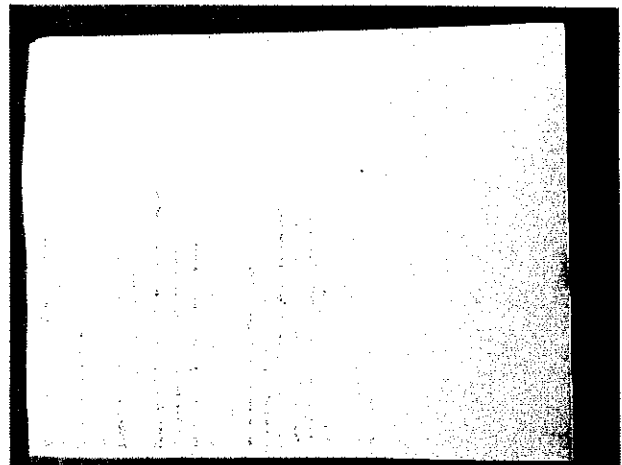
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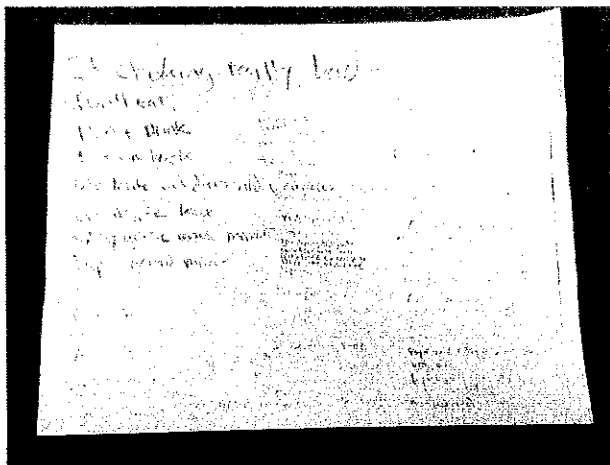


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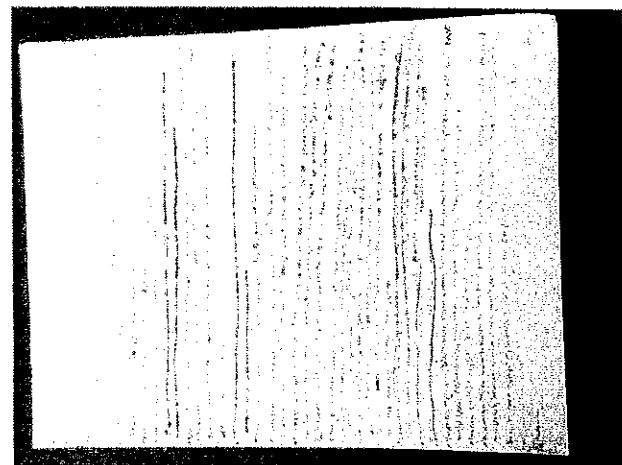
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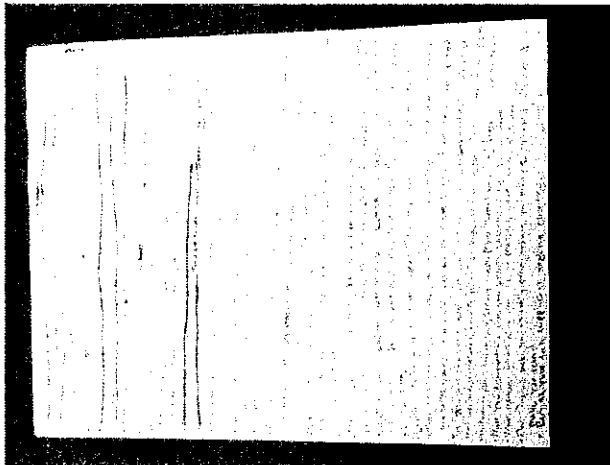
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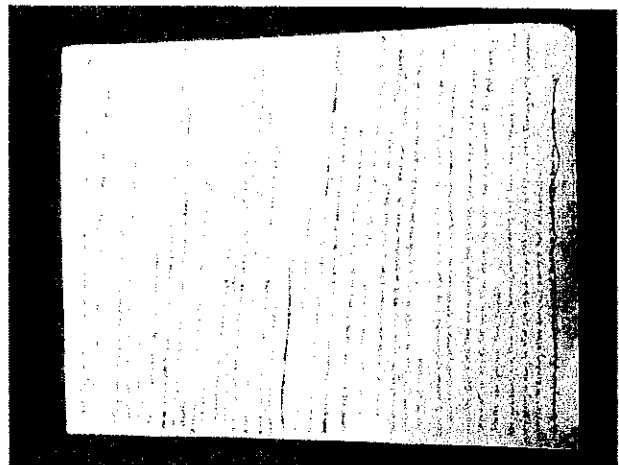
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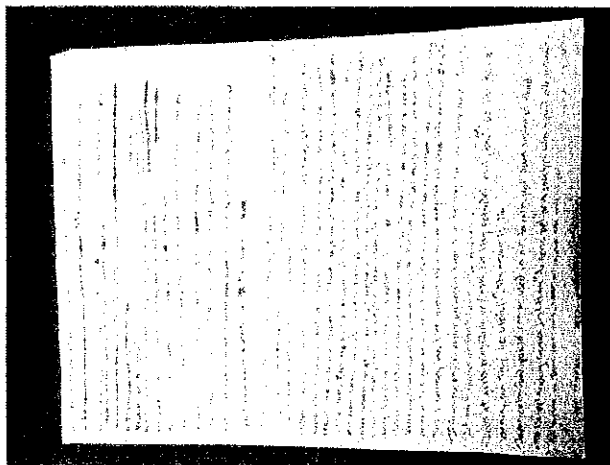


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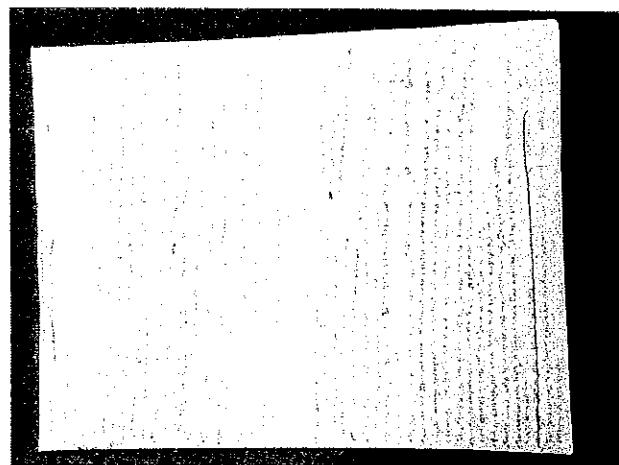
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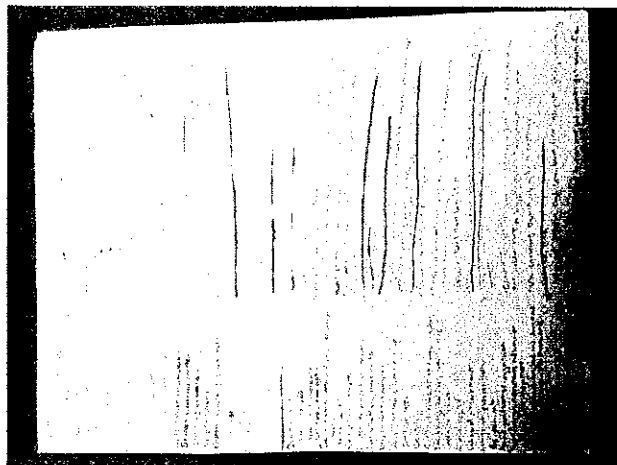
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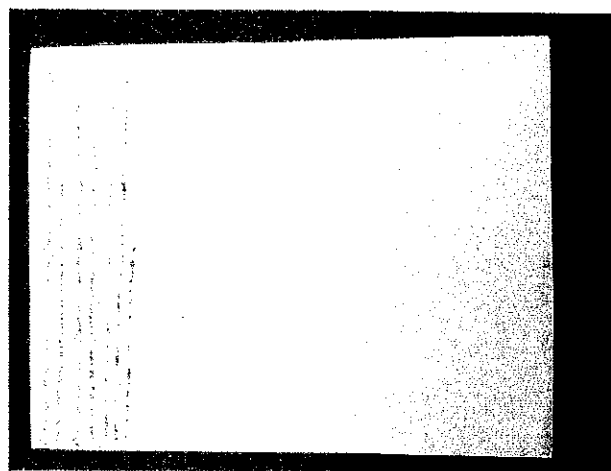
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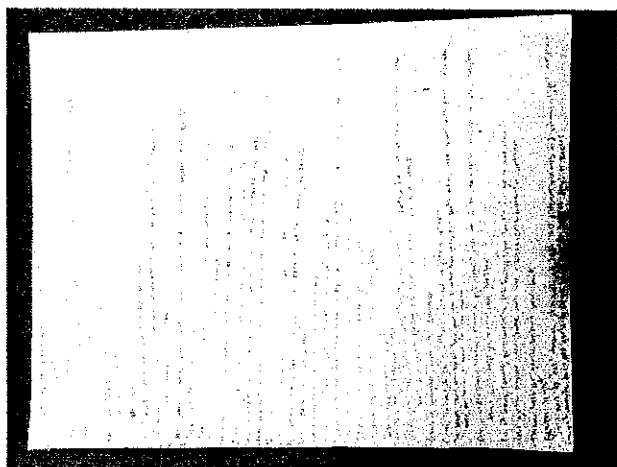


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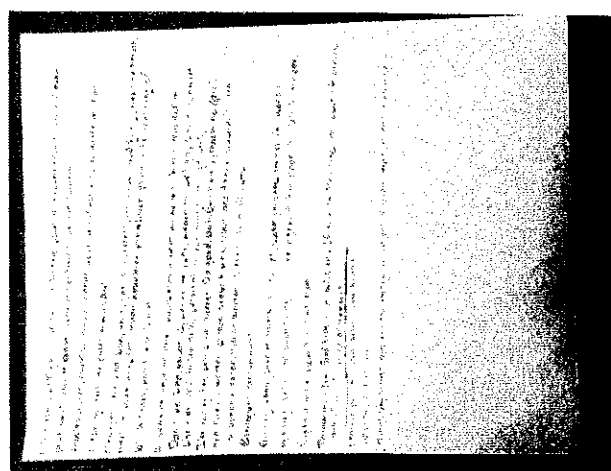
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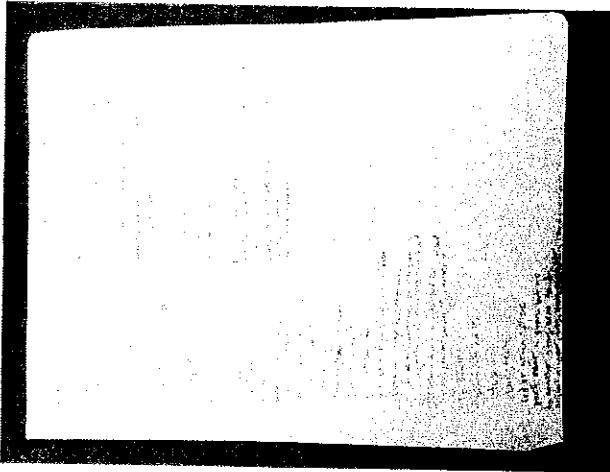
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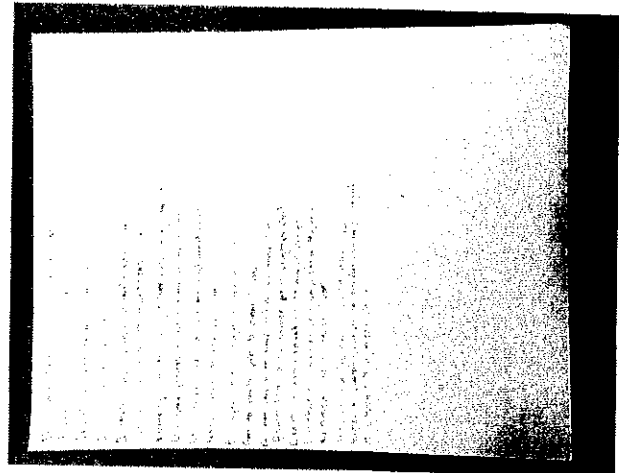
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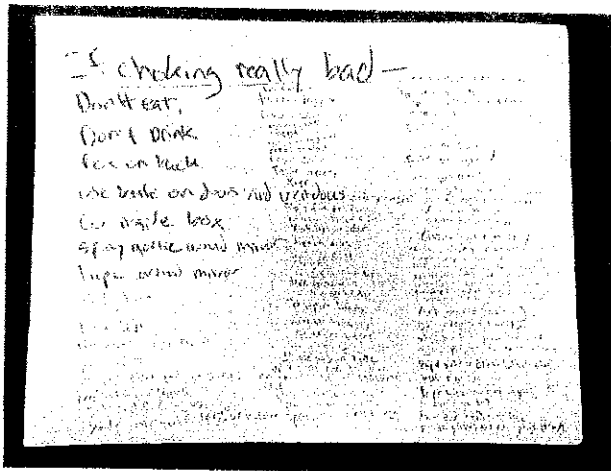


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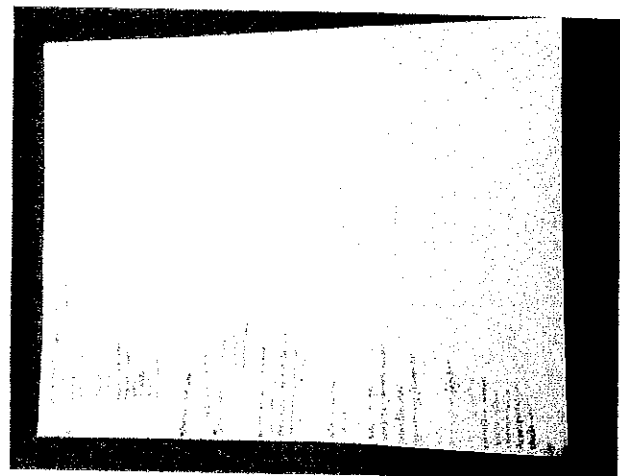
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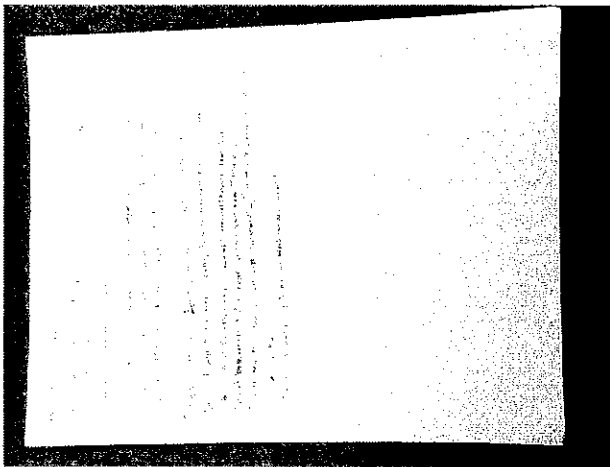
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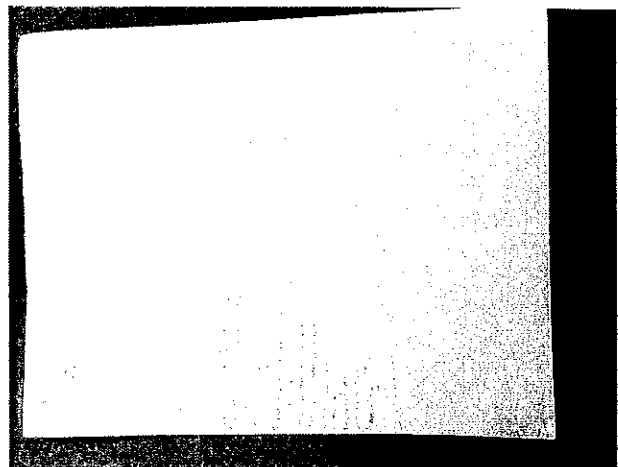
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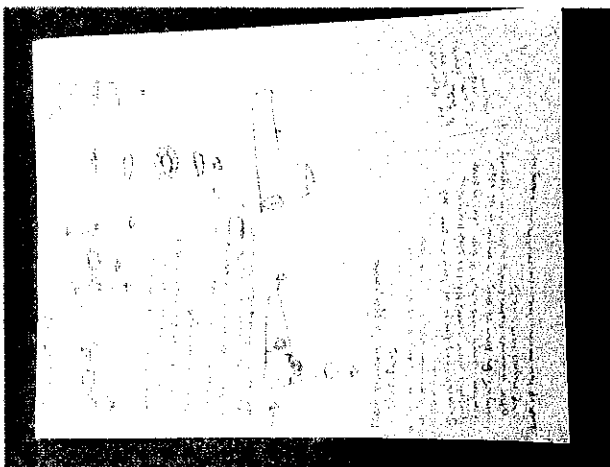


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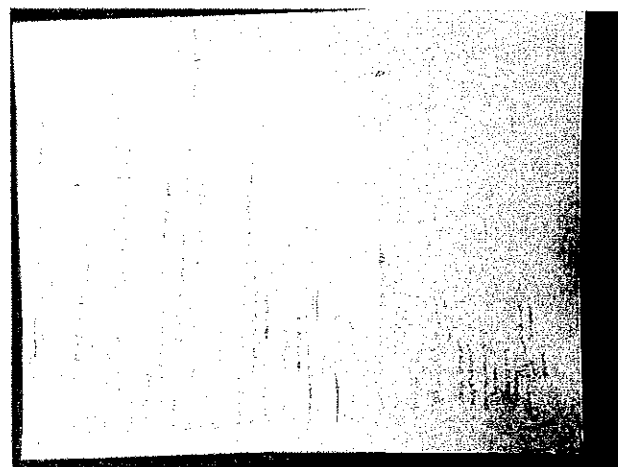
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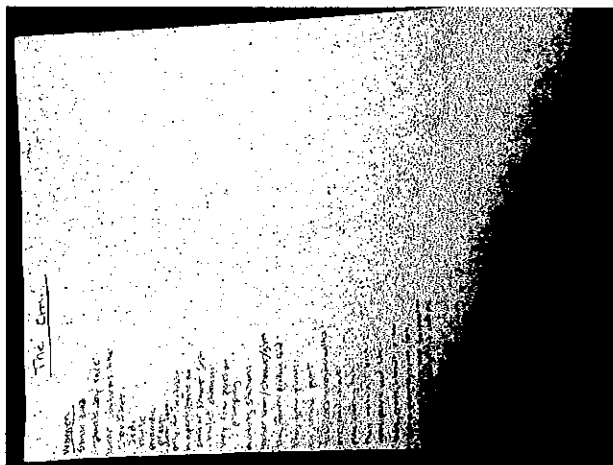
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CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0007

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0007	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 77482
From Date 11/03/2018	From Time 11:03	To Date	To Time	Use Of Force None	Call Type 245B	CAD Call No. 183070327	
Location 68 COTTAGE PL					City DANVILLE	Zip	
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No
						Missing Value	Damaged Value

Offense

Offense No. 1	Offense PC245B	Description Assault W/ Deadly Weapon-Officer (F)
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Cross Reference

No Cross Reference found

Synopsis

This is a supplemental investigation report which documents the interview with suspect's neighbors and the death notification.

Person

Other	Invl. No. 1	Name [REDACTED]	Type Individual	Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED]	To Age
	Race Hispanic	Sex Male	Height 507	To Height	Weight 230	To Weight		
	Hair Brown	Eye Brown	Skin	General Appearance		Build		
	Hair Description		Facial Features					
	Deformity	Speech	Demeanor	Mask	Glasses			
	Body Clothing	Further Description						
	Address							
	Address Type Home	Location [REDACTED]	City [REDACTED]	State [REDACTED]	Zip [REDACTED]			
	Phone Number							
	Phone Type	Phone Number						
	Cell	[REDACTED]						
	Email							
	Email Type	Email Address						
	ID Number							

Distribution List

Additional Routing

Reporting Deputy (Print) CAI,DENNY	Date/Time Written 11/15/2018 10:42:32	Disposition Referred
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:54:17



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF

At Number
180014203Sup. No.
0007

Page 2 of 6

ID Number Type	ID Number	License State		
Driver License		California		
SMT				
Type	Code	Description		
Alias				
Alias Name	Race	DOB		
Employment or School				
Employer/School	Position	Location	City	Phone Number
Offense Link				
Link	Offense No.	Offense	Description	

Invl. No.	Name	Type	Dom. Vol.	Juvenile	DOB	Age	To Age
2		Individual	No	No			
Race	Sex	Height	To Height	Weight	To Weight		
Filipino	Female	502		165			
Hair	Eye	Skin	General Appearance			Build	
Brown	Brown						
Hair Description		Facial Features					
Deformity	Speech	Demeanor	Mask	Glasses			
Body Clothing	Further Description						

Address				
Address Type	Location	City	State	Zip
Home				
Phone Number				
Phone Type	Phone Number			
Email				
Email Type	Email Address			

ID Number		
ID Number Type	ID Number	License State
Driver License		California
SMT		
Type	Code	Description
Alias		
Alias Name	Race	DOB
Employment or School		

Distribution List

Additional Routing

Reporting Deputy (Print)
CAI,DENNYDate/Time Written
11/15/2018 10:42:32Disposition
ReferredApproving Supervisor (Print)
MARCHESE,KENNETHSupervisor ID.
56458Date/Time
11/16/2018 09:54:17

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203	Sup. No. 0007	Page 3 of 6	
Employer/School		Position	Location	City		Phone Number	
Offense Link							
Link	Offense No.	Offense	Description				
Invl. No. 3	Name [REDACTED]		Type Individual	Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED] To Age [REDACTED]
Race Filipino		Sex Female	Height 501	To Height	Weight 135	To Weight	
Hair Black	Eye Black	Skin	General Appearance			Build	
Hair Description		Facial Features					
Deformity	Speech	Demeanor	Mask	Glasses			
Body Clothing	Further Description						
Address							
Address Type	Location		City		State	Zip	
Home	[REDACTED]		[REDACTED]		[REDACTED]	[REDACTED]	
Phone Number							
Phone Type	Phone Number						
Cell	[REDACTED]						
Email							
Email Type	Email Address						
ID Number							
ID Number Type	ID Number		License State				
Driver License	[REDACTED]		California				
SMT							
Type	Code		Description				
Alias							
Alias Name			Race		DOB		
Employment or School							
Employer/School		Position	Location	City		Phone Number	
Offense Link							
Link	Offense No.	Offense	Description				
Vehicle							
No Vehicle Found							
Vessel							
Distribution List							
Additional Routing							
Reporting Deputy (Print) CAI, DENNY			Date/Time Written 11/15/2018 10:42:32		Disposition Referred		
Approving Supervisor (Print) MARCHESE, KENNETH			Supervisor ID. 56458		Date/Time 11/16/2018 09:54:17		

No Vessel Found

Property

Evidence	Inv. Date 11/03/2018	Article Audio/Laser Compact Disc (CD)/DVD	Brand	Model
	Owner Applied To		Serial Number	Value
			Security?	# Pieces
			No	1
	Description CD- Audio Interview with Arboleda's neighbors			
	Recovery			
	Rcv Date	Rcv Value	Damaged	
	Recovery Location		Recovery City	State
		Beat	Area	
Person Link				
Link	Person Involvement		Name	DOB

Modus Operandi

No Modus Operandi found

Narrative

On 11/3/2018, at approximately 1300 hours, I received a call from Sergeant D. Curran. Sergeant Curran asked me if I was able to assist the CCCSO Homicide Unit with an officer involved shooting in Danville.

At approximately 1400 hours, I arrived at the Danville Police Station where I met with the Contra Costa County DA Inspectors in the meeting room.

At approximately 1500 hours, I was briefed on the incident.

Homicide Unit Sergeant K. Marchese assigned me to contact SUSPECT-Laudemer Arboleda's mother, PARENT- [REDACTED] to deliver the death notification. DA Inspector Sousa was also assigned to deliver the death notification.

At approximately 1730 hours, Inspector Sousa and I arrived at [REDACTED]. We knocked on the door and rang the doorbell multiple times to contact [REDACTED]. There was no response at the door and I did not see or hear movement inside.

At approximately 1750 hours, while Inspector Sousa was calling [REDACTED], I went and knocked on the door to [REDACTED] which is the apartment directly above [REDACTED]. I met with a male who later identified himself as OTH- [REDACTED] and a female who later identified herself as OTH- [REDACTED]. I asked [REDACTED] if he was familiar with his neighbors downstairs. [REDACTED] invited me inside his apartment.

Distribution List

Additional Routing

Reporting Deputy (Print) CAI, DENNY	Date/Time Written 11/15/2018 10:42:32	Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:54:17

██████████ stated the following in summary (I had my department issued Apple iPhone's voice recorder activated. Please refer to the audio recording for exact verbiage, sequence, and context):

██████████ stated he moved into his apartment approximately 2 months ago. ██████████ had already called the police 4 times because someone kept stuffing items into his locks. ██████████ spoke to some of his neighbors about the situation and they all pointed fingers at the person who lives below his apartment ██████████.

I asked ██████████ if he knew the person's name and he said, "No." I asked ██████████ to describe what the person looked like. ██████████ described the person as 33 years old, Filipino, short black hair, glasses and approximately 150 lbs. Based on ██████████ description of the person, I believe he was talking about Arboleda.

██████████ said he even spoke to Arboleda's mother, ██████████, about the incidents.

██████████ described an incident where Arboleda was caught damaging the locks and the police was called. ██████████ said they're awaiting an answer from the District Attorney's Office regarding that case.

██████████ stated ██████████ was kicked out of the house by Arboleda approximately a month ago. ██████████ last saw ██████████ trying to get into her own apartment last week. ██████████ and two unknown people were talking to Arboleda through the door to convince him to allow them inside.

I showed ██████████ and ██████████ a DMV Cal-Photo of ██████████ and ██████████. Both ██████████ and ██████████ confirmed that they are the people they were talking about.

██████████ went on to tell me another incident involving Arboleda. On Thursday (11/1/2018), Arboleda had a backpack on and attempted to go up to a neighbor's apartment but someone was home. It was unknown what Arboleda was trying to do but the neighbor caught Arboleda and he ran off. Police responded and was unable to locate Arboleda.

I asked ██████████ for ██████████ cell phone number. ██████████ told me it was ██████████."

██████████ stated on the day they moved into the apartment, ██████████ advised ██████████ to move to another apartment. At that time, ██████████ did not know why ██████████ was telling her but in hindsight, she sees why ██████████ said what she said.

██████████ stated since moving in, he saw lines and different patterns of salt all over the place, all over the walkways and steps. ██████████ spoke to ██████████ about it and she told ██████████ the line of salt is protecting Arboleda. I asked ██████████ if he thought something was wrong with Arboleda. ██████████ stated ██████████ makes it seem like Arboleda was "Mentally not all there," but ██████████ thinks otherwise. ██████████ thinks Arboleda strategizes when he vandalizes doors. ██████████ gave me an example where a neighbor had 2 cameras installed, one visible and one that was hidden. When Arboleda went up to the neighbor's door, he saw the camera and then went around to cover the visible camera with a piece of paper. Unbeknownst to Arboleda, the hidden camera caught him "Messing" with the door.

End of interview.

Distribution List

Additional Routing

Reporting Deputy (Print) CAI, DENNY	Date/Time Written 11/15/2018 10:42:32	Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:54:17

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0007

Page 6 of 6

At approximately 1917 hours, Inspector Sousa and I met with [REDACTED] at the Newark Police Department where we delivered the death notification. Refer to Inspector Sousa's report for more details on our conversation with [REDACTED]

Distribution List

Additional Routing

Reporting Deputy (Print)

CAJ,DENNY

Date/Time Written

11/15/2018 10:42:32

Disposition

Referred

Approving Supervisor (Print)

MARCHESE,KENNETH

Supervisor ID.

56458

Date/Time

11/16/2018 09:54:17



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0009

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0009	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 75046		
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force Firearm	Call Type 2458	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DAN	Zip			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	CVC2800.4	Evading a Peace Officer By Driving

Cross Reference

No Cross Reference found

Synopsis

Investigations supplement

Person

Invl. No. 2	Name TERRES, RYAN	Type Individual	Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED]	To Age
Race White	Sex Male	Height 511	To Height	Weight 170	To Weight		
Hair Brown	Eye Blue	Skin	General Appearance			Build	
Hair Description		Facial Features					
Deformity	Speech	Demeanor	Mask	Glasses			
Body Clothing	Further Description						
Address							
Address Type	Location		City		State	Zip	
Phone Number							
Phone Type	Phone Number						
Email							
Email Type	Email Address						
ID Number							

Distribution List

DANVILLE PD, LAFAYETTE PD

Additional Routing

Reporting Deputy (Print) MARSHALL, MICHAEL	Date/Time Written 12/19/2018 12:05:36	Disposition Referred
Approving Supervisor (Print) PARKER, BERCH	Supervisor ID. 67043	Date/Time 12/25/2018 23:58:04

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0009

Page 2 of 6

Other	ID Number Type		ID Number		License State												
	Driver License				California												
	SMT																
	Type		Code		Description												
	Alias																
	Alias Name				Race		DOB										
	Employment or School																
	Employer/School		Position		Location		City		Phone Number								
	SAN RAMON VALLEY FIRE				800 SAN RAMON BLVD				(925)838-6600								
	Offense Link																
	Link		Offense No.		Offense		Description										
	Invl. No.		Name			Type		Dom. Vol.		Juvenile		DOB		Age		To Age	
	3		BALCH,SCOTT			Individual		No		No							
	Race		Sex			Height		To Height		Weight		To Weight					
	White		Male			511				195							
	Hair		Eye		Skin		General Appearance				Build						
	Brown		Hazel														
	Hair Description		Facial Features														
	Deformity		Speech		Demeanor		Mask		Glasses								
Body Clothing		Further Description															
Address																	
Address Type		Location				City				State		Zip					
Phone Number																	
Phone Type		Phone Number															
Email																	
Email Type		Email Address															
ID Number																	
ID Number Type		ID Number		License State													
Driver License				California													
SMT																	
Type		Code		Description													
Alias																	
Alias Name				Race				DOB									
Employment or School																	
Distribution List																	
DANVILLE PD, LAFAYETTE PD																	
Additional Routing																	
Reporting Deputy (Print)					Date/Time Written					Disposition							
MARSHALL,MICHAEL					12/19/2018 12:05:36					Referred							
Approving Supervisor (Print)					Supervisor ID.					Date/Time							
PARKER,BERCH					67043					12/25/2018 23:58:04							

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203		Sup. No. 0009		Page 3 of 6			
Employer/School SAN RAMON VALLEY FIRE		Position		Location 800 SAN RAMON VALLEY BLVD		City		Phone Number (925)838-6600			
Offense Link											
Link		Offense No.		Offense		Description					
Other	Invl. No. 4	Name WYLIE, BEN			Type Individual		Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED]	To Age
	Race White			Sex Male		Height 600	To Height	Weight 220	To Weight		
	Hair Blond or Strawberry		Eye Blue		Skin	General Appearance			Build		
	Hair Description				Facial Features						
	Deformity		Speech		Demeanor		Mask		Glasses		
	Body Clothing		Further Description								
	Address										
	Address Type		Location			City			State	Zip	
	Phone Number										
	Phone Type		Phone Number								
	Email										
	Email Type		Email Address								
ID Number											
ID Number Type		ID Number			License State						
Driver License		[REDACTED]			California						
SMT											
Type		Code			Description						
Alias											
Alias Name					Race			DOB			
Employment or School											
Employer/School		Position		Location		City		Phone Number			
SAN RAMON VALLEY FIRE				800 SAN RAMON VALLEY BLVD				(925)838-6600			
Offense Link											
Link		Offense No.		Offense		Description					
Other	Invl. No. 5	Name ROSSEN, MARTIN			Type Individual		Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED]	To Age
	Race White			Sex Male		Height 600	To Height	Weight 180	To Weight		
	Hair Blond or Strawberry		Eye Blue		Skin	General Appearance			Build		
Distribution List											
DANVILLE PD, LAFAYETTE PD											
Additional Routing											
Reporting Deputy (Print) MARSHALL, MICHAEL						Date/Time Written 12/19/2018 12:05:36		Disposition Referred			
Approving Supervisor (Print) PARKER, BERCH						Supervisor ID. 67043		Date/Time 12/25/2018 23:58:04			

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203	Sup. No. 0009	Page 4 of 6
Hair Description		Facial Features				
Deformity	Speech	Demeanor	Mask	Glasses		
Body Clothing		Further Description				
Address						
Address Type	Location		City	State	Zip	
Phone Number						
Phone Type	Phone Number					
Email						
Email Type	Email Address					
ID Number						
ID Number Type	ID Number	License State				
Driver License		California				
SMT						
Type	Code	Description				
Alias						
Alias Name	Race			DOB		
Employment or School						
Employer/School	Position	Location	City	Phone Number		
SAN RAMON VALLEY FIRE		800 SAN RAMON VALLEY BLVD		(925)838-6600		
Offense Link						
Link	Offense No.	Offense	Description			
Vehicle						
No Vehicle Found						
Vessel						
No Vessel Found						
Property						
No Property Found						
Modus Operandi						
No Modus Operandi found						
Narrative						
Investigations supplement:						
Distribution List DANVILLE PD, LAFAYETTE PD						
Additional Routing						
Reporting Deputy (Print) MARSHALL, MICHAEL		Date/Time Written 12/19/2018 12:05:36		Disposition Referred		
Approving Supervisor (Print) PARKER, BERCH		Supervisor ID, 67043		Date/Time 12/25/2018 23:58:04		

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF	Report Number 180014203	Sup. No. 0009	Page 5 of 6
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On 11/3/2018, I was requested to assist CCCSO Homicide with an officer involved shooting in Danville. I arrived at Danville Police Department and was briefed about the incident. Homicide Sergeant K. Marchese assigned Detective Young and myself to interview San Ramon Valley Fire #31 personnel that had responded to the shooting.

Detective Young and myself arrived at San Ramon Valley Fire Station house 31 (800 San Ramon Valley Blvd, Danville CA). Detective Young and myself took turns interviewing all the involved firefighters. I interviewed the following firefighters who told me the following in summary:

Ryan Terres @ 1707 hours

Terres has worked for San Ramon Valley Fire since January 2016. Terres is currently a Firefighter Paramedic for Station 31. Terres was mandated to work an overtime shift which started on 11/3/2018 at 0730 hours and was scheduled to work until 11/4/2018 at 0730 hours as a Paramedic 31, which is a ambulance shift. At approximately 1120 hours, Terres was at training with his station house near Front St in Danville when they were dispatched to a report of a gunshot victim. Terres drove and Liam Clauzel was passenger with him in their ambulance and it took them less than a minute to arrive on scene. Terres saw two vehicles damaged from a traffic collision and two police officers performing CPR on a motionless patient (Laudemer Arboleda). They took over CPR compression shortly after they arrived, applied the AED device and the AutoPulse (mechanical automatic CPR device) on the patient. The patient had an electric heart rate greater then 40, so they needed to transport him to a hospital. Terres saw the patient had gun shot wounds to his chest and arms. Terres drove the ambulance to San Ramon Regional Medical with two additional medics, Scott Balch and Michael Duggan. Officers were doing compressions and rescue breaths. It looked as if officers were doing adequate life saving measures.

Ben Wylie @ 1728 hours

Wylie is currently a Capitan with San Ramon Valley Fire, which is a first line supervisor. Wylie started his shift on 11/3/2018 at 0730 hours and ended on 11/5/2018 at 0730 hours assigned to Truck 31. Wylie was at training with his station house in Danville when he heard sirens and what he thought were gun shots. Wylie knew they would be getting a call shortly and started getting ready to head to the call. Less then 20 seconds later, the paramedic unit and fire engine were dispatched. Wylie responded in the truck seconds after the paramedic and fire engine arrived. Brian Olson drove from the front and Michael Duggan drove from the rear of the truck. Wylie arrived on scene and saw vehicles along the side of the road with police officers doing chest compressions. Wylie assisted with the patient that police officers were tending to, then assisted with other patients inside the vehicles. A female and her son were inside of a vehicle that had been involved in accident. Paramedics filled out a Patient Care Reports and the patients signed medical refusals. Wylie saw the patient that officer were tending too had a bullet wound though his chest and multiple other bullet wounds on his body and looked ashy in color. It appeared as officer were doing proper chest compressions.

Scott Balch @ 1800 hours

Balch is currently a Engineer Paramedic for San Ramon Valley Fire Station. Balch first started his shift on 11/1/2018 at 0730 hours and ended on 11/4/2018 at 0730 hours working as a Firefighter Paramedic on engine 31. At approximately 1115-1120 hours, Balch was at training with his station house in downtown Danville when he heard

Distribution List		
DANVILLE PD, LAFAYETTE PD		
Additional Routing		
Reporting Deputy (Print)	Date/Time Written	Disposition
MARSHALL, MICHAEL	12/19/2018 12:05:36	Referred
Approving Supervisor (Print)	Supervisor ID.	Date/Time
PARKER, BERCH	67043	12/25/2018 23:58:04

some sirens. Balch came out of the building, knowing the sounds of sirens meant they might be going to a call. Balch's partners said they heard gunshots and then they were dispatched to a shooting. Balch and his team staged right outside of the parking lot they were training in and within 10 seconds advised it was clear to go in. From dispatch to arriving on scene might have been about two minutes. Balch was the first medic to arrived on scene and saw two police officers doing CPR on a patient lying on the sidewalk. Police officers were doing excellent CPR on the patient and Balch was "really impressed." They rolled the patient onto backboard and took over CPR. Balch assisted with loading the patient in the ambulance and transporting him to San Ramon Valley Medical Center. While in the back of the ambulance, the patient was already hooked up to the AutoPulse and a sucking chest wound patch was applied to the chest of the patient along with an IV needle in the leg bone and a round of epinephrine in the patient. The patient was an Asian male, medium length dark hair with a dirty appearance. The patient had a strong vinegar smell from his body. The patient wore work style pants and restaurant style shoes. The patients body was ashy and gray colored and had multiple gunshot wounds on the left arm and broken bones. On the patients chest was what appeared to be a exit wound. One the patients left auxiliary appeared to be an entrance wound and on the patients belly appeared to be a graze wound. There was very little blood coming from the wounds. The patient never regained his color, his eyes were open with fixed and dilated pupils. The patient was unconscious, not breathing and he did not have a pulse.

Martin (Marty) Rossen @ 1826 hours

Rossen is currently a Caption for San Ramon Valley Fire. Rossen started his shift on 11/3/2018 at 0730 hours ended on 11/5/2018 at 0730 hours assigned to engine 31. Rossen was at training with the crew from station house 31 in downtown Danville when he heard gunshots. Rossen heard gunshots and everyone looked at each other and said that sounded like gunfire. Rossen told everyone to put stuff away that they were going to get a call her in a minute. Within 15 seconds they were dispatched to a medical emergency of a shooting incident where they were requested to stage. Once it was clear to arrive, they arrived within about one minute. Once on scene, Rossen saw two police officers doing adequate CPR on a patient. Rossen determined what equipment was needed and got a backboard for the patient. Rossen took over with CPR from one of the officers until the AutoPulse was in place and took over CPR. The patient had a bullet wound in the dead center of his chest and other bullet wounds on his right shoulder. The patient was non responsive while he was on the ground. The patient was an Asian male in his 30's with dark hair. Once it was determined that the patient needed to be transported, Rossen assisted with loading him into the ambulance.

Distribution List

DANVILLE PD, LAFAYETTE PD

Additional Routing

Reporting Deputy (Print)

MARSHALL, MICHAEL

Date/Time Written

12/19/2018 12:05:36

Disposition

Referred

Approving Supervisor (Print)

PARKER, BERCH

Supervisor ID.

67043

Date/Time

12/25/2018 23:58:04



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0010

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0010	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment SVU	Status Report To Follow	Confidential? Yes	Empl. No / ID 69017		
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force None	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DAN	Zip 94526			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No. 1	Offense PC245B	Description Assault W/ Deadly Weapon-Officer (F)
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Cross Reference

No Cross Reference found

Synopsis

This is a supplemental report.

Person

Other	Invl. No. 9	Name [REDACTED]	Type Individual	Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED]	To Age
	Race Other	Sex Male	Height 600	To Height	Weight 215	To Weight		
	Hair Black	Eye Brown	Skin	General Appearance		Build		
	Hair Description		Facial Features					
	Deformity	Speech	Demeanor	Mask	Glasses			
	Body Clothing	Further Description						
	Address							
	Address Type Home	Location [REDACTED]	City [REDACTED]	State [REDACTED]	Zip [REDACTED]			
	Phone Number							
	Phone Type Cell	Phone Number [REDACTED]						
	Business	[REDACTED]						
	Email							
	Email Type	Email Address						
	[REDACTED]							
	ID Number							
[REDACTED]								

Distribution List

HOMICIDE SERGEANT

Additional Routing

Reporting Deputy (Print) VU, MINH	Date/Time Written 11/08/2018 11:24:05	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 11/14/2018 10:06:33

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0010

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ID Number Type	ID Number	License State
Driver License		California

SMT

Type	Code	Description

Alias

Alias Name	Race	DOB

Employment or School

Employer/School	Position	Location	City	Phone Number

Offense Link

Link	Offense No.	Offense	Description

Invl. No.	Name	Type	Dom. Vol.	Juvenile	DOB	Age	To Age
1		Individual	No	No			

Race	Sex	Height	To Height	Weight	To Weight
White	Female	506		135	

Hair	Eye	Skin	General Appearance	Build
Black	Brown			

Hair Description	Facial Features

Deformity	Speech	Demeanor	Mask	Glasses

Body Clothing	Further Description

Address

Address Type	Location	City	State	Zip
Home				

Phone Number

Phone Type	Phone Number
Cell	

Email

Email Type	Email Address

ID Number

ID Number Type	ID Number	License State
Operator License		California

SMT

Type	Code	Description

Alias

Alias Name	Race	DOB

Employment or School**Distribution List****HOMICIDE SERGEANT****Additional Routing**

Reporting Deputy (Print) VU, MINH	Date/Time Written 11/08/2018 11:24:05	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 11/14/2018 10:06:33

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203		Sup. No. 0010		Page 3 of 10		
Employer/School			Position		Location		City		Phone Number	
Offense Link										
Link		Offense No.	Offense		Description					
Witness	Invl. No. 2	Name [REDACTED]			Type Individual		Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED] To Age
	Race White			Sex Female		Height 509	To Height	Weight 180	To Weight	
	Hair Gray or Partially Gray		Eye Brown	Skin		General Appearance			Build	
	Hair Description			Facial Features						
	Deformity		Speech		Demeanor		Mask		Glasses Prescription	
	Body Clothing		Further Description							
	Address									
	Address Type Home		Location [REDACTED]			City [REDACTED]		State [REDACTED]	Zip [REDACTED]	
	Phone Number									
	Phone Type		Phone Number							
	Cell		[REDACTED]							
	Home		[REDACTED]							
	Email									
	Email Type		Email Address							
	ID Number									
ID Number Type		ID Number			License State					
Driver License		[REDACTED]			California					
SMT										
Type		Code			Description					
Alias										
Alias Name					Race			DOB		
Employment or School										
Employer/School			Position		Location		City		Phone Number	
Offense Link										
Link		Offense No.	Offense		Description					
Witness	Invl. No. 3	Name [REDACTED]			Type Individual		Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED] To Age
	Race White			Sex Female		Height 506	To Height	Weight 125	To Weight	
	Hair		Eye	Skin		General Appearance			Build	
Distribution List HOMICIDE SERGEANT										
Additional Routing										
Reporting Deputy (Print) VU, MINH					Date/Time Written 11/08/2018 11:24:05		Disposition Case Active			
Approving Supervisor (Print) BAILEY, LAURIE					Supervisor ID. 52142		Date/Time 11/14/2018 10:06:33			

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0010

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Brown		Brown			
Hair Description		Facial Features			
Deformity	Speech		Demeanor	Mask	Glasses
Body Clothing		Further Description			

Address						
Address Type	Location			City	State	Zip
Home						
Phone Number						
Phone Type	Phone Number					
Cell						
Email						
Email Type	Email Address					

ID Number		
ID Number Type	ID Number	License State
Operator License		California
SMT		
Type	Code	Description

Alias		
Alias Name	Race	DOB

Employment or School				
Employer/School	Position	Location	City	Phone Number

Offense Link			
Link	Offense No.	Offense	Description

Invl. No.	Name	Type	Dom. Vol.	Juvenile	DOB	Age	To Age
4		Individual	No	No			
Race	Sex	Height	To Height	Weight	To Weight		
White	Male	510		200			
Hair	Eye	Skin	General Appearance			Build	
Black	Blue						
Hair Description		Facial Features					

Deformity	Speech	Demeanor	Mask	Glasses
Body Clothing	Further Description			

Address						
Address Type	Location			City	State	Zip
Home						
Phone Number						

Distribution List
HOMICIDE SERGEANT

Additional Routing

Reporting Deputy (Print) VU, MINH	Date/Time Written 11/08/2018 11:24:05	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 11/14/2018 10:06:33

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203		Sup. No. 0010		Page 5 of 10	
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Phone Type		Phone Number							
Cell									
Email									
Email Type		Email Address							
ID Number									
ID Number Type		ID Number				License State			
Operator License						California			
SMT									
Type		Code			Description				
Alias									
Alias Name					Race			DOB	
Employment or School									
Employer/School		Position		Location		City		Phone Number	
Offense Link									
Link		Offense No.	Offense			Description			

Witness	Invl. No.		Name		Type		Dom. Vol.	Juvenile	DOB		Age	To Age
	S				Individual		No	Yes				
	Race		Sex			Height		To Height		Weight		To Weight
	White		Male			507				140		
	Hair		Eye	Skin		General Appearance				Build		
	Blond or Strawberry		Blue									
	Hair Description		Facial Features									
	Deformity		Speech		Demeanor		Mask		Glasses			
	Body Clothing		Further Description									
Address												
Address Type		Location				City			State		Zip	
Home												
Phone Number												
Phone Type		Phone Number										
Cell												
Email												
Email Type		Email Address										
ID Number												
ID Number Type		ID Number				License State						
Driver License						California						
SMT												

Distribution List		
HOMICIDE SERGEANT		
Additional Routing		
Reporting Deputy (Print) VU, MINH		Date/Time Written 11/08/2018 11:24:05
Approving Supervisor (Print) BAILEY, LAURIE		Supervisor ID. 52142
		Disposition Case Active
		Date/Time 11/14/2018 10:06:33

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203		Sup. No. 0010		Page 6 of 10		
Witness	Type		Code		Description					
	Alias									
	Alias Name				Race			DOB		
	Employment or School									
	Employer/School		Position		Location		City		Phone Number	
	Offense Link									
	Link		Offense No.	Offense		Description				
	Invl. No.		Name			Type		Dom. Vol.	Juvenile	DOB
	6					Individual		No	Yes	
	Race		Sex			Height		To Height	Weight	To Weight
	White		Male			507			135	
	Hair		Eye	Skin		General Appearance			Build	
	Hair Description			Facial Features						
	Deformity		Speech		Demeanor		Mask		Glasses	
Body Clothing		Further Description								
Address										
Address Type		Location			City		State		Zip	
Home										
Phone Number										
Phone Type		Phone Number								
Cell										
Email										
Email Type		Email Address								
ID Number										
ID Number Type		ID Number			License State					
SMT										
Type		Code		Description						
Alias										
Alias Name				Race			DOB			
Employment or School										
Employer/School		Position		Location		City		Phone Number		
Offense Link										
Distribution List										
HOMICIDE SERGEANT										
Additional Routing										
Reporting Deputy (Print) VU, MINH					Date/Time Written 11/08/2018 11:24:05		Disposition Case Active			
Approving Supervisor (Print) BAILEY, LAURIE					Supervisor ID. 52142		Date/Time 11/14/2018 10:06:33			

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF					Report Number 180014203		Sup. No. 0010		Page 7 of 10	
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	Link	Offense No.	Offense	Description						
Witness	Invl. No. 7	Name [REDACTED]		Type Individual	Dom. Vol. No	Juvenile Yes	DOB [REDACTED]	Age [REDACTED]	To Age	
	Race White	Sex Male		Height 601	To Height	Weight 175	To Weight			
	Hair Brown	Eye Brown	Skin	General Appearance				Build		
	Hair Description			Facial Features						
	Deformity	Speech		Demeanor	Mask		Glasses			
	Body Clothing		Further Description							
	Address									
	Address Type		Location			City		State	Zip	
	Home		[REDACTED]			[REDACTED]		[REDACTED]	[REDACTED]	
	Home		[REDACTED]			[REDACTED]		[REDACTED]	[REDACTED]	
	Phone Number									
	Phone Type		Phone Number							
	Cell		[REDACTED]							
	Email									
	Email Type		Email Address							
ID Number										
ID Number Type		ID Number			License State					
Driver License		[REDACTED]			California					
SMT										
Type		Code		Description						
Alias										
Alias Name					Race			DOB		
Employment or School										
Employer/School		Position		Location		City		Phone Number		
Offense Link										
	Link	Offense No.	Offense	Description						

	Invl. No. 8	Name [REDACTED]		Type Individual	Dom. Vol. No	Juvenile Yes	DOB [REDACTED]	Age [REDACTED]	To Age	
Witness	Race White	Sex Male		Height 508	To Height	Weight 145	To Weight			
	Hair Red or Auburn	Eye Blue	Skin	General Appearance				Build		
	Hair Description			Facial Features						
	Deformity	Speech		Demeanor	Mask		Glasses			
	Distribution List									
	HOMICIDE SERGEANT									
	Additional Routing									

Reporting Deputy (Print) VU, MINH		Date/Time Written 11/08/2018 11:24:05	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE		Supervisor ID. 52142	Date/Time 11/14/2018 10:06:33

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203	Sup. No. 0010	Page 8 of 10
Body Clothing		Further Description				
Address						
Address Type	Location	City		State	Zip	
Home						
Phone Number						
Phone Type	Phone Number					
Cell						
Email						
Email Type	Email Address					
ID Number						
ID Number Type	ID Number	License State				
SMT						
Type	Code	Description				
Alias						
Alias Name	Race			DOB		
Employment or School						
Employer/School	Position	Location	City	Phone Number		
Offense Link						
Link	Offense No.	Offense	Description			
Vehicle						
No Vehicle Found						
Vessel						
No Vessel Found						
Property						
No Property Found						
Modus Operandi						
No Modus Operandi found						
Narrative						
<p>I am a Detective with the Contra Costa County Sheriff's Office and assigned to the High Tech Crimes Unit (HTCU).</p> <p>On 11/03/18, I responded to Diablo Road at Front Street in Danville to assist with an officer involved shooting investigation. Senior Inspector D.Holcombe (District Attorney's Office) were assigned to interview the following witnesses:</p>						
Distribution List						
HOMICIDE SERGEANT						
Additional Routing						
Reporting Deputy (Print) VU, MINH			Date/Time Written 11/08/2018 11:24:05		Disposition Case Active	
Approving Supervisor (Print) BAILEY, LAURIE			Supervisor ID. 52142		Date/Time 11/14/2018 10:06:33	

- 1) [REDACTED] / Driver of silver 2003 Honda 2DR (CA [REDACTED])
- 2) [REDACTED] Driver of silver 2006 Jeep SUV (CA [REDACTED])
- 3) [REDACTED] / Front Passenger of gold 2001 Lexus SUV (CA [REDACTED])
- 4) [REDACTED] / Driver of gold 2001 Lexus SUV (CA [REDACTED])
- 5) [REDACTED] (Juvenile) / Rear Passenger of white GMC
- 6) [REDACTED] (Juvenile) / Front Passenger of white GMC
- 7) [REDACTED] (Juvenile) / Rear Passenger of white GMC
- 8) [REDACTED] (Juvenile) / Driver of white GMC

All of the interviews were voice recorded by myself and Inspector Holcombe, who documented the statements of [REDACTED] and [REDACTED]. The following were statements given to us by [REDACTED] and [REDACTED] who were all inside the same vehicle during the incident:

[REDACTED] statement:

[REDACTED] was sitting in the rear seat behind the front passenger. They were on westbound Diablo Road heading toward downtown Danville and stopped for a red light (W El Pintado). His attention was drawn to "all the cop cars swarming to that one spot (Front Street at Diablo Road). [REDACTED] saw one police officer in the crosswalk facing east (toward Front Street at Diablo Road). The first time he saw the suspect car (silver Honda 4DR) was when it "took off" from Front Street onto Diablo Road and then heard gun shots. The suspect vehicle subsequently collided into the SUV in front of them on Diablo Road and more police officers surrounded it. [REDACTED] briefly recorded the incident after the collision (refer to the evidence DVD) as he and his friends drove away from the scene.

*** I viewed [REDACTED] recorded video, which was about 7 seconds long and showed police officers approaching the suspect vehicle after the collision. He emailed the video to myself and inspector Holcombe.

[REDACTED] statement:

[REDACTED] was sitting in the front passenger seat. They were on westbound Diablo Road heading toward Noah's Bagel in downtown Danville. They were at a stop (W El Pintado) when his attention was drawn to three police cars - two in the BevMo parking lot and one in the roadway in front of them (on Diablo Road). After the suspect car crashed into the SUV in front of them, he saw the officers come onto the roadway and might of heard gun shots. Even though [REDACTED] wasn't sure if he heard the gun shots because all their car windows were up, he knew shots were fired because he saw about four bullet holes in the suspect car's front windshield. They backed up and drove away from the scene. [REDACTED] briefly recorded the incident after the collision (refer to the evidence DVD) before they left.

*** I viewed [REDACTED] recorded video, which was about 25 seconds long and showed police officers approaching the suspect vehicle after the collision. He emailed the video to myself and inspector Holcombe.

[REDACTED] statement:

[REDACTED] was sitting in the rear seat behind the driver. They were westbound on Diablo Road heading toward the "bagel shop" in downtown Danville. A "cop" drove pass them on the left toward BevMo, which was where [REDACTED]

Distribution List
 HOMICIDE SERGEANT

Additional Routing

Reporting Deputy (Print) VU, MINH	Date/Time Written 11/08/2018 11:24:05	Disposition Case Active
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 11/14/2018 10:06:33

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0010

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thought a robbery had occurred since there were other police cars already there. He then heard about four or five gun shots, saw the suspect car driving across the roadway (of Diablo Road), and "slam" into another car (Jeep SUV) in front of them. [REDACTED] heard the shots when the suspect vehicle was still in the BevMo parking lot, where he also saw about four police officers around it with their guns drawn. He did not get a chance to video the incident.

[REDACTED] statement:

[REDACTED] was the driver and heading westbound on Diablo Road toward Noah's Bagel in downtown Danville. He saw "a bunch of policemen driving over toward BevMo." [REDACTED] didn't hear any gun shots but saw a police officer in the roadway with his gun pointing toward the suspect vehicle. After he heard some loud noises, he saw the suspect car "speed away" from BevMo and "slam" into the car (Jeep SUV) in front of them. [REDACTED] wasn't really paying attention cause he was concerned about the suspect vehicle coming toward him (on Diablo Road). After the crash, he saw the police officers rush toward the suspect car as they yelled "Get out of the car... let me see your hands." [REDACTED] estimated the suspect vehicle speed to be about 25 or 30 MPH as it drove out of the BevMo parking lot. He did not get a chance to video the incident.

END of documented statements.

On 11/03/18, Inspector Holcombe and I went to the Valero Gas Station (198 Diablo Road, Danville CA) where we met with the manager [REDACTED]. He showed us the recorded incident on his business DVR (Make: Night Owl) and provided us a copy of it. I had checked the DVR time with my work issued iPhone and it was accurate. We obtained video of the intersection (Diablo Road at Front Street) for the times between 1115 and 1130 hours (11/03/18). Based on the time stamp of the DVR, I first saw the suspect car on northbound Front Street at about 11:18:45 hours. The collision with the Jeep SUV occurred at about 11:19:02 hours.

I copied the Valero DVR video, recorded witness statements, and witness captured videos onto a DVD and gave it to Detective M.Ingersoll.

No further actions were taken by me at this time.

Distribution List

HOMICIDE SERGEANT

Additional Routing

Reporting Deputy (Print)

VU, MINH

Date/Time Written

11/08/2018 11:24:05

Disposition

Case Active

Approving Supervisor (Print)

BAILEY, LAURIE

Supervisor ID.

52142

Date/Time

11/14/2018 10:06:33



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203 Sup. No.
0013

Beat
61

Arrest?
No Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0013	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment HOM	Status Report To Follow	Confidential? No	Empl. No / ID 72972		
From Date 11/03/2018	From Time 11:05	To Date 11/03/2018	To Time 11:05	Use Of Force Firearm	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DAN	Zip 94526			
Evidence Yes	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No. 1	Offense PC245B	Description Assault W/ Deadly Weapon-Officer (F)
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Cross Reference

No Cross Reference found

Synopsis

This is an investigative supplemental report.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

I am a detective with the Contra Costa County Sheriff's Office. I am currently assigned to the Special Victims Unit.

On 11/03/2018, I responded to assist detectives with the investigation of this incident. I was tasked to go to San Ramon Regional Medical Center (SRRMC) to wait for the Coroner's office to pick up SUS-Laudemer Arboleda's remains. I arrived at SRRMC at about 1530 hours. I relieved Deputy Bullard and sat with the remains. At about 1930 hours, Deputy Hoffman with the Coroners Office arrived at SRRMC and took possession of Laudemer's remains.

I took possession of a black bi fold wallet that was on Laudemer's person at the time of the incident. I checked the

Distribution List

Additional Routing

Reporting Deputy (Print) JACKSON,JEFF	Date/Time Written 01/02/2019 14:22:09	Disposition Case Filed
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID. 56458	Date/Time 01/03/2019 11:28:09

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0013

Page 2 of 2

wallet and found one black Amazon Prime VISA credit card with Laudemer's name on it, one EBT card with Laudemer's name on it, one Patelco Mater Card with Laudemer's name on it, one California benefits card with Laudemer's name on it, one Costco card, one library card, two white pieces of paper with notes on them and \$820 in cash. I took several pictures of the wallet and its contents. I logged the money separate from the wallet and its other contents. I counted to money in the presence of Deputy C. Smith. After I counted the money, I witnessed Deputy C. Smith count the money. We both came to the amount of \$820. I placed the money into an asset forfeiture package. I logged both the cash and the wallet with its other contents into Concord Evidence as safe keeping.

Distribution List

Additional Routing

Reporting Deputy (Print)

JACKSON,JEFF

Date/Time Written

01/02/2019 14:22:09

Disposition

Case Filed

Approving Supervisor (Print)

MARCHESE,KENNETH

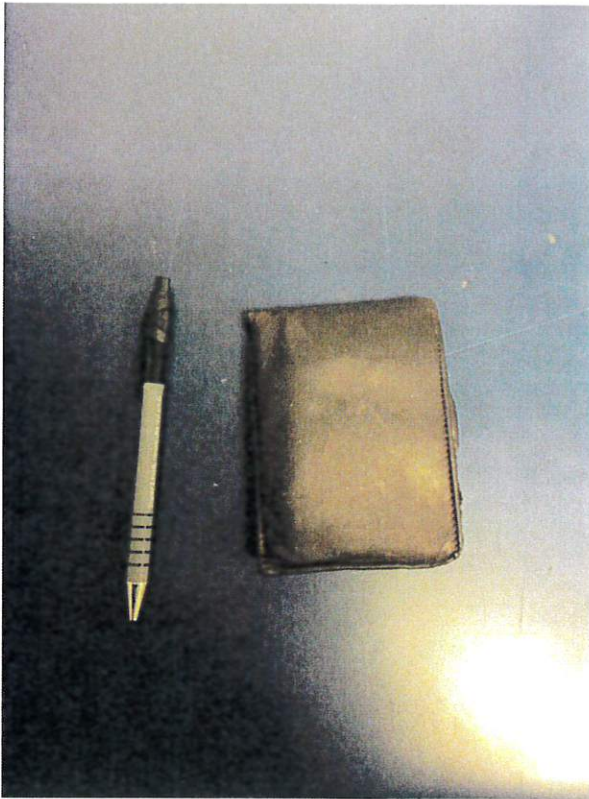
Supervisor ID.

56458

Date/Time

01/03/2019 11:28:09

0002



Black wallet.jpg

0003



Contents of wallet.jpg

0004



Cash.jpg

0005



Cash1.jpg

0006



Cash2.jpg



Contra Costa County Office of the Sheriff
David O. Livingston Sheriff-Coroner

Property List

Case #: 18-14203
Offense Date: 11/3/18

Crime Code: PC 245B

Total number of items in this report: 2



30094975

1/2

Item Type: WALLET

Collected Address: 6001 Norris Canyon Rd. SRA

Collected Location: ER Room

Collected by/Date: JACKSON, J. 72972, 11/3/18

Description: Black wallet with misc credit and other cards



30094976

2/2

Item Type: MONEY

Collected Address: 6001 Norris Canyon Rd. SRA

Collected Location:

Collected by/Date: JACKSON, J. 72972, 11/3/18

Description: \$820 in cash



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0015

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0015	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment HOM	Status Report To Follow	Confidential? No	Empl. No / ID 70634		
From Date 11/03/2018	From Time 11:05	To Date 11/03/2018	To Time 11:05	Use Of Force None	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DANVILLE	Zip 94526			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No. 1	Offense PC245B	Description Assault W/ Deadly Weapon-Officer (F)
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Cross Reference

No Cross Reference found

Synopsis

This is an investigative supplement to Deputy Reed's original report.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

On 11/03/2018, I was requested to respond to the Danville Police Department to assist in the investigation of an office involved shooting.

During the briefing, Detective Marshall and I were assigned the task of interviewing the responding members of San Ramon Valley Fire Protection District, listed below:

- Battalion Chief Dan McNamara
- Captain Ben Wylie - Truck 31

Distribution List

Additional Routing

Reporting Deputy (Print) YOUNG, TIMOTHY	Date/Time Written 05/14/2019 16:45:41	Disposition Referred
Approving Supervisor (Print) BAILEY, LAURIE	Supervisor ID. 52142	Date/Time 05/15/2019 08:50:36

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF	Report Number 180014203	Sup. No. 0015	Page 2 of 5
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- Engineer Brian Olson - Truck 31
- Firefighter Michael Duggan - Truck 31
- Captain Marty Rossen - Engine 31
- Engineer/Paramedic Damien Alvarez - Engine 31
- Engineer/Firefighter Scott Balch - Engine 31
- Firefighter/Paramedic - Liam Clauzel - Paramedic 31
- Firefighter/Paramedic - Ryan Terres - Paramedic 31

On 11/03/2018, at approximately 1645 hours, Detective Marshall and I contacted all of the listed personnel at San Ramon Valley Fire Protection District, Station 31, located at 800 San Ramon Valley Boulevard, Danville, CA., 94526. The phone number for Station 31 is 925-838-6631.

Detective Marshall and I divided the recording of the interviews between us. Each interview was digitally recorded and later transferred to CD. Refer to the recording for exact verbiage, sequence, tone and inference. Refer to Detective Marshall's supplemental report for the interviews of Terres, Wyle, Balch, and Rossen.

Interview of **OTH-Liam Clauzel, SRVFPD Firefighter/Paramedic**, in summary;

Interview started at 1656 hours.

Clauzel had been employed with SRVFPD since August 2017. He started his shift on 11/02/2019, at 1930 hours and was scheduled to work until 11/04/219, at 0730 hours. He was assigned to Paramedic 31. His duties include Advanced Life Support (ALS) and patient transports.

On 11/03/2018, at approximately 1118 hours, Clauzel was dispatched to the report of a gunshot victim, on Front Street. Station 31 units were all training near the downtown area. Clauzel estimated a response time of approximately 30 seconds from their location. When he arrived on scene he observed officers performing chest compressions and ventilations (also had an A.E.D. attached) on an Asian male, in his 30's, dark hair, approximately 150 pounds and approximately 5'08" - 5'09" in height.

Clauzel removed the A.E.D. and applied their monitor. He then prepared the patient for transport and applied the AutoPulse (a machine used to perform chest compressions), due to the patient being pulse-less (no pulse), not breathing and unresponsive. While providing treatment, Clauzel observed approximately 12 puncture-type wounds.

Clauzel and his partner transported the patient to San Ramon Regional Hospital. Once they arrived at the hospital, Clauzel assisted hospital staff with transferring the patient from the gurney to the hospital bed, then hospital staff took over patient care.

Interview ended at 1706 hours.

Interview of **OTH-Brian Olson, SRVFPD Engineer/Paramedic**, in summary;

Interview started at 1715 hours.

Olson was employed as a Engineer/Paramedic with SRVFD. Olson was assigned to Truck 31. His shift started on 11/03/2018, at approximately 0730 hours and was scheduled to work until 11/05/2018, at approximately 0730 hours.

Distribution List		
Additional Routing		
Reporting Deputy (Print) YOUNG,TIMOTHY	Date/Time Written 05/14/2019 16:45:41	Disposition Referred
Approving Supervisor (Print) BAILEY,LAURIE	Supervisor ID. 52142	Date/Time 05/15/2019 08:50:36

On 11/03/2018, at approximately 1118 hours, Station 31 units were conducting training drills. Engine 31 and Paramedic 31 were dispatched to the incident. Truck 31 was not on the initial dispatch but all three units were training together, one block away from the dispatched location. truck 31 arrived approximately one to two minutes after the engine and the Paramedic unit. When Olson arrived on scene, he observed three involved cars, with the patient laying in the street. It appeared Sheriff's Officers were still providing CPR and SRVFPD personnel were starting to set up their equipment and transition care. Olson retrieved the "Auto Pulse" machine and "got that into play". Olson stated the patient was unconscious, unresponsive and non-breathing and appeared to have gun shot wounds on the right arm, right shoulder and chest. The monitor confirmed the patient was pulse-less and had PEA, (pulse-less Electrical Activity) so mechanical CPR was started. Olson described the patient as having a medium build, approximately 160 lbs, short hair cut, Asian male, possibly in his 20's". Once the monitor showed what rhythm he was in, the decision was made to transport the subject to the hospital.

Olson then went to get supplies to assist the younger female in the car that was parked against the curb. Olson was then flagged down by Officer Hall, who had a laceration (not requiring stitches) to the index finger and an abrasion to the middle finger. Olson cleaned and bandaged the wounds.

Olson believed all the care provided by the Officers was well done and they appeared very engaged.

Interview ended at 1726 hours.

Interview of **OTH-Michael Duggan, SRVPD Firefighter/Paramedic**, in summary;

Interview started at 1741 hours.

Duggan was employed as a Firefighter/Paramedic with SRVFPD. Duggan was assigned to Truck 31. His shift started on 11/03/2018, at approximately 0730 hours and was scheduled to work until 11/05/2018, at approximately 0730 hours.

On 11/03/2018, at approximately 1118 hours, all three Station 31 units were in area of 200 Hartz Avenue, for a training evolution. Prior to hearing any dispatch, they heard sirens, followed by what sounded like gun shots. A dispatch came out to stage for a medical call. Once they heard there was CPR in progress, they decided to attach themselves to the call to provide assistance. They arrived on scene approximately one to two minutes after Paramedic 31 and Engine 31 and observed the engine and paramedic crews and Danville PD providing patient care to an unknown male victim laying on his back, in the street. Duggan later described the victim as in his 30's, Asian male, 5'09"-5'10", 160 lbs., dark hair, and having poor hygiene, such as very strong body odor. Duggan described the odor as someone who had not showered in multiple days.

The patient appeared to have multiple penetrating injuries, which appeared to be gunshot wounds, to the chest and right arm. It was conveyed to Duggan that the patient did not have a pulse and was not breathing. Manual CPR and chest compressions were continued. Duggan then retrieved the monitor from ambulance and applied pads for monitor. Once it was decided they were going to transport the patient, Duggan returned to the ambulance and "spiked" an I.V. bag (plugged the plastic tube into the bag), in preparation for transport. Duggan, Clauzel and Balch were all in the back of the ambulance, as well as one Danville PD Officer. Duggan was seated at patient's head (airway seat), Performed BLS (Basic Life Support) airway with a BVM (Bag Valve Mask), which was insufficient. Duggan then went to an endotracheal airway and continued with the BVM, with better compliance.

The patient remained unresponsive and pulse-less, throughout the transport. The patient went from a P.A. rhythm

Distribution List

Additional Routing

Reporting Deputy (Print) YOUNG,TIMOTHY	Date/Time Written 05/14/2019 16:45:41	Disposition Referred
Approving Supervisor (Print) BAILEY,LAURIE	Supervisor ID. 52142	Date/Time 05/15/2019 08:50:36

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF	Report Number 180014203	Sup. No. 0015	Page 4 of 5
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(electrical activity but no mechanical activity)to V-FIB, during the transport. One shock was given, with no change in status. The patient went back to pulse-less electrical activity rhythm. One round of Epinephrine was administered, with no change in status. A seal was placed on the chest wound, in order to try to minimize airflow through the wound. Once they arrived at the hospital, care was turned over to hospital staff.

Duggan believed all medical care provided on scene was done well and the responding officers made their best attempt to save the victim.

Interview ended at 1757 hours.

Interview of **OTH-Damien Alvarez, SRVFPD Engineer/Paramedic**, in summary;

Interview started at 1815 hours.

Alvarez was employed as an Engineer/Paramedic with SRVFPD. Duggan was assigned to Engine 31, as the Engineer. His shift started on 11/03/2018, at approximately 0730 and was scheduled to work until 11/05/2018, at approximately 0730 hours.

On 11/03/2018, at approximately 1118 hours, all three Station 31 units were at 200 Hartz Avenue, performing company drills. After the drills, they heard what they believed to be sirens and gunfire. Shortly after that, they were dispatched to a possible shooting at the intersection of Diablo Road and Front Street. They had a response time, arriving on scene within 30 seconds to one minute.

Alvarez "spotted"(parked) the engine in front of the accident scene. He observed a Danville officer and a CCCSO Deputy performing CPR on the victim, on the ground. The paramedic unit pulled up. Alvarez assisted with retrieving equipment. Once Alvarez returned to the scene, a decision was made to transport the victim and provide treatment in route. Alvarez returned the equipment to the ambulance and then assisted with placing the patient (who was already on the backboard) on the gurney. He had no direct contact with the victim. Alvarez described the patient as an Asian American male, mid 30's, with multiple gunshot wounds on the right shoulder, neck area and mid chest. Alvarez felt the officers performing CPR did a great job and communicated well.

While on scene, Alvarez assessed the woman in the SUV, who declined to be transported to the hospital. He believed she had wrist pain and chest wall pain.

Interview ended at 1824 hours.

Interview of **OTH-Daniel McMara, SRVFPD B-Shift Battalion Chief**, in summary;

Interview started at 1835 hours.

McMara was employed as the B-Shift Battalion Chief for San Ramon Valley Fire. His shift began on 11/03/2018, at approximately 0700 hours and was scheduled to end at 0700 on 11/015/2018.

On 11/03/2018, at approximately 1118 hours, Station 31 units were dispatched (via radio) to a shooting with unknown circumstances, in the vicinity of Front Street and Diablo Road. McMara was at the station at the time the incident was dispatched. He arrived on scene at approximately the same time Truck 31 arrived. McMara observed a car in the #2

Distribution List		
Additional Routing		
Reporting Deputy (Print) YOUNG,TIMOTHY	Date/Time Written 05/14/2019 16:45:41	Disposition Referred
Approving Supervisor (Print) BAILEY,LAURIE	Supervisor ID. 52142	Date/Time 05/15/2019 08:50:36



Report Number
180014203

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0015

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lane going westbound. McMara asked one of the officers if they needed to be aware of any outstanding subjects. The officer explained it was an officer involved shooting. McMara described the patient as a younger Asian male. He observed a couple bullet holes in the chest area. He had no further observations and did not see anyone performing any lifesaving measures. He believed the officers and fire personnel was in the middle of transitioning care, at the time he was there. McMara stayed near the back of the patient vehicle and just oversaw the scene. He just made sure the scene wasn't damaged for the investigation and made sure all subjects that were treated or spoken with were documented.

Interview ended at 1843 hours.

A copy of the CD containing the interviews was provided to Detective Ingersoll. An additional copy was booked into FOB Evidence.

No further information.

EVIDENCE

- 1) One, CD containing interview recordings.

Distribution List

Additional Routing

Reporting Deputy (Print)
YOUNG, TIMOTHY

Date/Time Written
05/14/2019 16:45:41

Disposition
Referred

Approving Supervisor (Print)
BAILEY, LAURIE

Supervisor ID.
52142

Date/Time	05/15/2019 08:50:36
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CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0017

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0017	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment SIU	Status Report To Follow	Confidential? No	Empl. No / ID 60628		
From Date 11/03/2018	From Time 11:05	To Date 11/03/2018	To Time 11:05	Use Of Force None	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DAN	Zip			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

No Offenses found

Cross Reference

No Cross Reference found

Synopsis

See Narrative

Person

No Person Found

Vehicle

Evidence	Type Auto	License No. [REDACTED]	State CA	Lic. Year 2019	License Type Civilian, Nonpassenger Aircraft				
	Make	Model			VIN [REDACTED]	Year			
	Style 4-door Automobile	Color Silver/aluminum	Lights Out		Damage	Value			
	Windows Type	Tire Pattern				# Ocpts			
	Disposition		Dispo. Date		Storage				
	Modification		Special Features						
	Recovery								
	Rcv Date	Stolen/Recovered Location		Rcv Value	Location Type		Damage	General Condition	
	Recovery Location			Recovery City		State	District	Beat	Area
	Towed								
No Towing Info Found									
Person Link									
Link	Person Involvement			Name		DOB			

Vessel

Distribution List

Additional Routing

Reporting Deputy (Print) ALLEN, TIMOTHY	Date/Time Written 05/07/2019 13:58:08	Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH	Supervisor ID. 56458	Date/Time 05/08/2019 13:26:32

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF		Report Number 180014203	Sup. No. 0017	Page 2 of 2
No Vessel Found				
Property				
No Property Found				
Modus Operandi				
No Modus Operandi found				
Narrative				
<p>This is a supplemental report</p> <p>On November 3, 2018 I responded to the city of Danville to assist in an officer involved investigation.</p> <p>I was assigned to stay with a Silver Honda Civic California license plate [REDACTED] and assist the crime lab with identifying evidence, searching the vehicle and towing the vehicle from the scene.</p> <p>During a search of the vehicle a red back pack was removed from the trunk of the vehicle. The contents of the back pack included US currency divided into several white envelopes, handwritten notes and notebooks. The back pack was removed from the vehicle and placed into the Field Operations Bureau evidence room for safe keeping. All other items food, power tools, and clothing remained with the vehicle. The back pack was later turned over to Detective Ingersoll.</p> <p>I completed the required tow form the vehicle was towed from the scene by SAVE tow to 2099 Arnold Industrial Way in the city of Concord, see attached form.</p>				
Distribution List				
Additional Routing				
Reporting Deputy (Print) ALLEN, TIMOTHY		Date/Time Written 05/07/2019 13:58:08		Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH		Supervisor ID: 56458		Date/Time 05/08/2019 13:26:32

- ☒ Face Page
☐ Continuation
☐ Supplemental

BEAT

CONTRA COSTA COUNTY SHERIFF - CORONER <input checked="" type="checkbox"/>				ABANDONED, IMPOUNDED, RECOVERED, STORED OR RELEASED VEHICLE REPORT			
DR NO. 15-14203		CITY CODE MUN 20		CRIME / CLASSIFICATION		FCN # 1421430703426	
TYPE OF REPORT (CHECK ONE) <input type="checkbox"/> ABANDONED <input type="checkbox"/> IMPOUNDED <input checked="" type="checkbox"/> STORED <input type="checkbox"/> ABATED <input type="checkbox"/> RECOVERED <input type="checkbox"/> RELEASED				IF A RECOVERED STOLEN VEHICLE, HAS NEIGHBORHOOD OR AREA BEEN CHECKED FOR LEADS OR CLUES? <input type="checkbox"/> YES <input type="checkbox"/> NO (LIST LEADS OR CLUES IN REMARKS OR ON SEPARATE SHEET)			
PERSON REPORTING OCCURRENCE T. Allen		ADDRESS 1990 Muir RD Mant		PHONE		TIME AND DATE REPORTED 1985 11/3/14	
DESCRIPTION AND OWNERSHIP							
YEAR 14	MAKE Honda	MODEL Civic	BODY TYPE 4 DR	LICENSE NUMBER	YEAR 19	STATE CA	LIC. NUMBER(S) CLEAR IN SYSTEM? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
VEHICLE IDENTIFICATION NUMBER (VIN)		DOES VIN COMPARE WITH REGISTRATION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		DOES VIN APPEAR ALTERED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IS VIN CLEAR IN SYSTEM? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF STOLEN, NAME, DATE AND CASE NUMBER OF REPORTING AGENCY N/A				WAS VEH. RETURNED TO OWNER? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		STORAGE AUTHORITY 22655.5	
LOCATION TOWED FROM DIABLO / W. EL PINO				WHERE STORED? ARND INDUSTRIAL WAY 2099 (MANTISSE) CONCORD		TIME AND DATE TOWED 1985 11/3/14	
NAME OF GARAGE SAVE TOW.COM				ADDRESS 67 TREVIANO LIVERMORE		PHONE 925-733-7300	
REGISTERED OWNER P. ARBOLDEN, LAUDMEN				ONE		ONE	
LEGAL OWNER SAVE				ONE		ONE	
DRIVERS NAME, DL# & DOB				PHONE		PHONE	
ODOMETER READING				DRIVEABLE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		VEH.? REAR: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ITEMS		YES		NO		CONDITION	
Seat, Bucket		X				FAIR	
Seat (Front)		X					
Seat (Rear)		X					
Radio		X					
Tape Deck		X					
Tapes		X					
Clock		X					
Ignition Key		X					
Registration		X					
Dr. Lights (# 1)		X					
S. Mirror(s) (# 1)		X					
Battery		X					
Air Condition		X					
LIST PROPERTY, TOOLS, AND REMARKS (If arrest made, indicate full names, charges, and where detained.) SEATBELTS DENTS DINGS MASON FRONT END DAMAGED ANOTHER VEHICLE WAS REMOVED TO MAKE SAID VEHICLE. REMARKS (If arrest made, indicate full names, charges, and where detained.) R/O has signed - insurance & DL attached - Do not release without legal permission							
REPORTING DEPUTY (Print) T. Allen		EMPLOYEE NO. 60629		APPROVING SUPV. M. B...		DATE 11/3/14	
(FOR OFFICE USE ONLY)		APPRaisal, RELEAS		TO S		1 of 3	
RECOVERY TELETYPE (DATE & NO.)		REQUIRED NOTICES SENT TO REGISTERED & LEGAL OWNERS & GARAGE (SEC. 22652) <input type="checkbox"/> YES <input type="checkbox"/> NO		RELEASE			
IF NO IS CHECKED, INDICATE REASON <input type="checkbox"/> AVA PROGRAM		APPRaised VALUE		SIGNATURE			
TIME AND DATE OF APPRAISAL		APPRaising OFFICER'S SIGNATURE (SEC. 22704 VC)		I.D. NUMBER			
<input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V		<input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner		CERT LEGAL DESC		AT I AM ABOVE-	
<input type="checkbox"/> Property Ck. <input type="checkbox"/> ACS <input type="checkbox"/> Intell. <input type="checkbox"/> R.O. <input type="checkbox"/> SHC		<input type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Cto. <input type="checkbox"/> Marine Patrol		SIGNATURE			
<input type="checkbox"/> Other							

Message From Terminal/Unit: STDR Operator: GATE
Originally Sent To: DOP8
Date/Time Sent: 03-NOV-2018 17:49:29
02CLET.EBMO..10.ECHO#93995.4EBM0DOP800.IV

DATE: 11/03/18 TIME: 17:49

INSURANCE INFORMATION ON FILE

POSSIBLE FILE CODES:

REG VALID FROM: 05/24/18 TO 05/24/19

LIC# [REDACTED] YRMD:14 MAKE:HOND BTM :4D VIN [REDACTED]

R/O [REDACTED]

CITY [REDACTED]

SOLD:00/00/14 RCID:04/04/18 OCID:09/06/17 LOCD:M

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:DE *-YR:17

REC STATUS:

09/02/17 SMOG DUE 05/24/20

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
V37	06/05/14	DW	0011	00208.00	00/00/00	A00
605	05/22/15	11	0017	00197.00	00/00/00	H00
140	04/17/15	08	0375	00197.00	PRIOR SUSPENSE	
142	04/08/16	08	4791	00186.00	00/00/00	POT
V93	08/07/17	C5	0046	00325.00	00/00/00	F00
P38	08/24/17	BA	0000	00000.00	00/00/00	Z02
V93	09/01/17	C5	0003	00015.00	00/00/00	F10
A14	09/06/17	BA	0000	00000.00	00/00/00	Z01
141	03/21/18	10	6203	00256.00	00/00/00	POT

07/06/2017-ODOMETER: 26,776 MILES ACTUAL MILEAGE

END

18-14303
ZOF3

Printed for: DOP8/60628

Mon Nov 05 08:22:51 2018

Message From Terminal/Unit: STDR Operator: GATE
Originally Sent To: DOP8
Date/Time Sent: 05-NOV-2018 08:22:39
02CLET,EBM0..10,ECHO#03773.4EBM0DOP800,IA
QV,CA0070051.LIC, [REDACTED]

INQUIRY MATCH ON LIC, [REDACTED]
IMPOUNDED VEHICLE
LIC, [REDACTED] LIS/CA LIY/2018 LIT/PC [REDACTED]
2014 HOND CIV 4D SIL VIN [REDACTED]
ORI/CA0070000 OCA/SP1814203 FCN/1421830703426
DOT/20181103
MIS/SAVETOW 9253937300 226555 EVIDENCE/79577
NOA/N
ENT/ON CALIF FILE ONLY
IMMEDIATELY CONFIRM WITH ORI/CA0070000 CONTRA COSTA CO SO MNE/MRTO
TELEPHONE 925 335-1580 IF NO ANSWER CALL TELEPHONE 925 646-2441

***** END OF SVS MESSAGE *****

NO VEHICLE HIT IN WPS
***** END OF WPS MESSAGE *****

18-14203
3043



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
ORIG

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. ORIG	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 79308		
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force Firearm	Call Type SSUBJ	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DANVILLE	Zip 94526			
Evidence Yes	Finger Print No	Body Camera Yes	Vehicle Camera Yes	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	PC245B	Assault W/ Deadly Weapon-Officer (F)
3	CVC2800.4	Evading a Peace Officer By Driving

Cross Reference

No Cross Reference found

Synopsis

This report concerns a pursuit of SUS- Laudemer Arboleda which resulted in an officer involved shooting. Arboleda was transported Code 3 to San Ramon Regional Medical Center where OTH- Dr. Renzo Cardena pronounced him deceased at 1144 hours.

Person

Other	Invl. No. 1	Name CARDENA,RENZO	Type Individual	Dom. Vol. No	Juvenile No	DOR [REDACTED]	Age [REDACTED]	To Age
	Race Unknown		Sex Male	Height	To Height	Weight	To Weight	
	Hair		Eye	Skin	General Appearance		Build	
	Hair Description		Facial Features					
	Deformity		Speech	Demeanor	Mask	Glasses		
	Body Clothing		Further Description					
	Address							
	Address Type Work/Business		Location 6001 NORRIS CANYON ROAD	City SAN RAMON	State CA	Zip 94583		
	Phone Number							
	Phone Type Business		Phone Number (925)275-9200					

Distribution List

CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN

Additional Routing

Reporting Deputy (Print) REED,SCOTT	Date/Time Written 11/05/2018 11:45:58	Disposition Referred
Approving Supervisor (Print) HOEKWATER,RONALD	Supervisor ID. 54958	Date/Time 11/05/2018 11:47:46

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
ORIG

Page 2 of 8

Other

Email				
Email Type		Email Address		
ID Number				
ID Number Type	ID Number		License State	
SMT				
Type	Code		Description	
Alias				
Alias Name			Race	DOB
Employment or School				
Employer/School	Position	Location	City	Phone Number
SAN RAMON REGIONAL MEDICAL CENTER	DOCTOR	6001 NORRIS CANYON ROAD		(925)275-9200
Offense Link				
Link	Offense No.	Offense	Description	

Other

Invl. No.	Name		Type	Dom. Vol.	Juvenile	DOB	Age	To Age
1	SCHANTIN,SHELBY		Individual	No	No			
Race			Sex	Height	To Height	Weight	To Weight	
Unknown			Female					
Hair		Eye	Skin	General Appearance			Build	
Hair Description			Facial Features					
Deformity		Speech	Demeanor		Mask	Glasses		
Body Clothing		Further Description						
Address								
Address Type		Location			City		State	Zip
Work/Business		6001 NORRIS CANYON ROAD			SAN RAMON		CA	94583
Phone Number								
Phone Type		Phone Number						
Business		(925)275-9200						
Email								
Email Type		Email Address						
ID Number								
ID Number Type	ID Number		License State					
SMT								
Type	Code		Description					

Distribution List

CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN

Additional Routing

Reporting Deputy (Print)

REED,SCOTT

Date/Time Written

11/05/2018 11:45:58

Disposition

Referred

Approving Supervisor (Print)

HOEKWATER,RONALD

Supervisor ID.

54958

Date/Time

11/05/2018 11:47:46

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203		Sup. No. ORIG		Page 3 of 8			
Other	Alias										
	Alias Name				Race			DOB			
	Employment or School										
	Employer/School		Position	Location		City		Phone Number			
SAN RAMON REGIONAL MEDICAL CENTER		NURSE	6001 NORRIS CANYON ROAD				(925)275-9200				
Other	Offense Link										
	Link	Offense No.	Offense		Description						
	Invl. No.	Name			Type		Dom. Vol.	Juvenile	DOB	Age	To Age
	1	GROVE, JUDY			Individual		No	No			
	Race		Sex		Height		To Height		Weight		To Weight
	Unknown		Female								
	Hair		Eye	Skin	General Appearance			Build			
	Hair Description			Facial Features							
	Deformity		Speech		Demeanor		Mask		Glasses		
	Body Clothing		Further Description								
	Address										
	Address Type		Location			City			State	Zip	
	Work/Business		6001 NORRIS CANYON ROAD			SAN RAMON			CA	94583	
	Phone Number										
	Phone Type		Phone Number								
	Business		(925)275-9200								
	Email										
	Email Type		Email Address								
	ID Number										
	ID Number Type		ID Number			License State					
SMT											
Type		Code		Description							
Alias											
Alias Name				Race			DOB				
Employment or School											
Employer/School		Position	Location		City		Phone Number				
SAN RAMON REGIONAL MEDICAL CENTER		NURSE	6001 NORRIS CANYON ROAD				(925)275-9200				
Offense Link											
Link	Offense No.	Offense		Description							
Distribution List											
CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN											
Additional Routing											
Reporting Deputy (Print)				Date/Time Written			Disposition				
REED, SCOTT				11/05/2018 11:45:58			Referred				
Approving Supervisor (Print)				Supervisor ID.			Date/Time				
HOEKWATER, RONALD				54958			11/05/2018 11:47:46				

CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF					Report Number 180014203		Sup. No. ORIG		Page 4 of 8	
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Other	Invl. No. 1	Name KENNARD, KRISTIN			Type Individual	Dom. Vol. No	Juvenile No	DOB [REDACTED]	Age [REDACTED]	To Age	
	Race Unknown				Sex Female	Height	To Height	Weight	To Weight		
	Hair		Eye	Skin	General Appearance			Build			
	Hair Description			Facial Features							
	Deformity		Speech		Demeanor		Mask		Glasses		
	Body Clothing		Further Description								
	Address										
	Address Type		Location			City		State	Zip		
	Work/Business		6001 NORRIS CANYON ROAD			SAN RAMON		CA	94583		
	Phone Number										
	Phone Type		Phone Number								
	Business		(925)275-9200								
	Email										
	Email Type		Email Address								
	ID Number										
ID Number Type		ID Number			License State						
SMT											
Type		Code			Description						
Alias											
Alias Name					Race			DOB			
Employment or School											
Employer/School		Position		Location		City		Phone Number			
SAN RAMON REGIONAL MEDICAL CENTER		NURSE		6001 NORRIS CANYON ROAD				(925)275-9200			
Offense Link											
Link		Offense No.	Offense		Description						

Suspect	Invl. No. 1	Name ARBOLEDA, LAUDEMER ATIENZA			Type Individual	Dom. Vol. No	Juvenile No	DOB 02/09/1985	Age 33	To Age	
	Race Asian				Sex Male	Height 505	To Height	Weight 160	To Weight		
	Hair Black		Eye Brown	Skin	General Appearance			Build			
	Hair Description			Facial Features							
	Deformity		Speech		Demeanor		Mask		Glasses		
	Body Clothing		Further Description								
	Distribution List CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN										
	Additional Routing										
Reporting Deputy (Print) REED, SCOTT					Date/Time Written 11/05/2018 11:45:58		Disposition Referred				
Approving Supervisor (Print) HOEKWATER, RONALD					Supervisor ID. 54958		Date/Time 11/05/2018 11:47:46				

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
ORIG

Page 5 of 8

Address

Address Type	Location	City	State	Zip
Home				

Phone Number

Phone Type	Phone Number

Email

Email Type	Email Address

ID Number

ID Number Type	ID Number	License State
Driver License		California

SMT

Type	Code	Description

Alias

Alias Name	Race	DOB

Employment or School

Employer/School	Position	Location	City	Phone Number

Offense Link

Link	Offense No.	Offense	Description
Suspect	1	PC245B	Assault W/ Deadly Weapon-Officer (F)
Suspect	2	PC245B	Assault W/ Deadly Weapon-Officer (F)
Suspect	3	CVC2800.4	Evading a Peace Officer By Driving

Witness

Invl. No.	Name	Type	Dom. Vol.	Juvenile	DOB	Age	To Age		
1.		Individual	No	No					
Race	White	Sex	Female	Height	504	To Height	Weight	120	To Weight
Hair	Brown	Eye	Brown	Skin		General Appearance		Build	
Hair Description		Facial Features							
Deformity		Speech		Demeanor		Mask		Glasses	
Body Clothing		Further Description							

Address

Address Type	Location	City	State	Zip
Home				


Phone Number

Phone Type	Phone Number
Cell	

Email**Distribution List****CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN****Additional Routing**

Reporting Deputy (Print)	Date/Time Written	Disposition
REED,SCOTT	11/05/2018 11:45:58	Referred
Approving Supervisor (Print)	Supervisor ID.	Date/Time
HOEKWATER, RONALD	54958	11/05/2018 11:47:46

		CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF				Report Number 180014203	Sup. No. ORIG	Page 6 of 8
Evidence	Email Type		Email Address					
	ID Number							
	ID Number Type		ID Number		License State			
	Driver License				California			
	SMT							
	Type		Code		Description			
	Alias							
	Alias Name				Race		DOB	
	Employment or School							
	Employer/School		Position		Location		City	
	Offense Link							
	Link		Offense No.		Offense		Description	
	Vehicle							
	Type		License No.		State		Lic. Year	
	Auto				CA		2019	
							License Type	
							Regular Passenger Automobile Plates	
	Make		Model		VIN		Year	
	Honda		Civic/CRX/Del Sol				2014	
	Style		Color		Lights Out		Damage	
	4-door Automobile		Silver/aluminum					
	Windows Type				Tire Pattern		# Ocpts	
	Disposition		Dispo. Date		Storage			
	Modification		Special Features					
	Recovery							
	Rcv Date		Stolen/Recovered Location		Rcv Value		Location Type	
Recovery Location		Recovery City		State		District		
Beats		Area						
Towed								
No Towing Info Found								
Person Link								
Link		Person Involvement		Name		DOB		
Driver		Suspect		ARBOLEDA, LAUDEMER ATIENZA		02/09/1985		
Vessel								
No Vessel Found								
Property								
No Property Found								
Modus Operandi								
Distribution List								
CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN								
Additional Routing								
Reporting Deputy (Print)				Date/Time Written		Disposition		
REED, SCOTT				11/05/2018 11:45:58		Referred		
Approving Supervisor (Print)				Supervisor ID		Date/Time		
HOEKWATER, RONALD				54958		11/05/2018 11:47:46		

		CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF		Report Number 180014203	Sup. No. ORIG	Page 7 of 8
Gang Act? No	Gang Name					
Property Targeted						
Physical Evidence Audio/Video Recording/Other Evidence						
Method Of Entry		Point Of Entry			Entry Location	
Weapon Used Vehicle		Premise Type		Arson Inhabited? No	Alarm?	
Theft Type	Victim's Race White		Victim's Sex Male		Victim's Age Adult	
Oddity	Suspect Action					
Vulnerability			Victim Action Working			
Crime Code(s) Assault With A Deadly Weapon-Police Ofcr.						Hate Crime Date
Narrative						
<p>On 11/3/2018 at approximately 1106 hours, Deputy Maka and Officer Muller were dispatched to a Suspicious Subject at 68 Cottage Place in Danville. Deputy Maka and Officer Muller were in full uniform driving a fully marked Danville PD patrol car with functioning forward facing solid red light. Officer Caruso responded to the call as a backup officer. Officer Caruso had a civilian, WIT- [REDACTED] as a ride along in his patrol vehicle.</p> <p>PRI- [REDACTED] told Sheriff's Dispatch an Asian male adult, later identified as SUS- Laudemer Arboleda, who was approximately 28 years old, 5' 7" tall, and 150 pounds, was ringing his doorbell and walking around the area.</p> <p>At 1110 hours, Deputy Maka and Officer Muller attempted to make contact with Arboleda near 68 Cottage Place on Laurel Drive. Officer Caruso arrived on scene less than a minute later. The neighborhood has single family residential properties with a senior living facility nearby to the east on Laurel Drive. Arboleda drove away in a silver Honda (License Plate [REDACTED]) headed southbound on Laurel Drive.</p> <p>Arboleda's vehicle came to a temporary stop on Princeton Lane, then continued again.</p> <p>At 1116 hours, Deputy Maka and Officer Muller attempted to conduct a traffic enforcement stop of Arboleda's vehicle on Laurel Drive by turning on the patrol vehicle's emergency lights. Arboleda failed to yield for the traffic enforcement stop and continued northbound on Laurel Drive. Deputy Maka and Officer Muller pursued Arboleda as the primary vehicle and Officer Caruso was in the pursuit as the second vehicle. Within seconds of starting the pursuit Officer Caruso told Sheriff's Dispatch the driver threw something from the vehicle under the overcrossing for the freeway on Laurel Drive.</p> <p>The pursuit turned West on Hartz Way then North on Front Street.</p> <p>At 1118 hours, Officer Muller advised Sheriff's Dispatch the pursuit was approaching E Prospect Avenue.</p> <p>At 1119 hours, Sgt. Martin and Officer Hall told Sheriff's Dispatch that shots were fired.</p> <p>Arboleda's vehicle struck one other vehicle before coming to a complete stop. I was advised CHP responded to the scene to investigate the traffic collision. See CHP Log #1860 for details regarding the traffic collision.</p> <p>At 1119 hours, Officer Hall told Sheriff's Dispatch, Arboleda was unresponsive. Sheriff's Dispatch started San</p>						
Distribution List CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN						
Additional Routing						
Reporting Deputy (Print) REED,SCOTT		Date/Time Written 11/05/2018 11:45:58		Disposition Referred		
Approving Supervisor (Print) HOEKWATER,RONALD		Supervisor ID. 54958		Date/Time 11/05/2018 11:47:46		

Ramon Valley Fire units to the location. Arboleda suffered multiple gun shot wounds to the upper torso.

At 1121 hours, Sgt. Martin invoked the Contra Costa County Officer Involved Death or Serious Injury Protocol.

I arrived on scene and blocked the intersection of Diablo Road and W El Pintado.

At 1122 hours, San Ramon Fire Engine 31 arrived on scene and started CPR.

Sgt. Barden arrived on scene and took over incident command. Deputy Hofmann arrived on scene and assisted with traffic control and setting up perimeters on the West side. Deputy Stark responded to Laurel Drive under the I-680 over pass to look for the item Arboleda threw from his vehicle. See Deputy Stark's supplemental report for details regarding what he observed.

At 1123 hours, Sgt. Martin advised Danville Police Chief Shields and Watch Commander Foley were notified.

Inner perimeters were set up across Diablo Road and Front Street. Across Front Street South of the BevMo parking lot at 155 Diablo Road. And across Diablo Road at W El Pintado.

San Ramon Fire Truck and Medic units 31 arrived on scene.

At approximately 1127 hours Sgt. Martin tasked me to ride in the ambulance to San Ramon Regional Medical Center. The ambulance transported us Code 3 to the hospital as paramedics performed life saving measures on Arboleda. San Ramon Fire Paramedic Liam Clauzel was the primary paramedic for Medic Unit 31. Arboleda was unresponsive and unconscious while in the ambulance.

At 1136 hours, the ambulance arrived at San Ramon Regional Medical Center and hospital staff transported Arboleda to the closest examination room. Hospital staff doctor and nurses continued to perform life saving measures on Arboleda. The medical staff attending to Arboleda were OTH- Dr. Renzo Cardena, OTH- RN Shelby Schantin, OTH- RN Judy Grove, and OTH- RN Kristin Kennard.

Dr. Cardena pronounced the death of Arboleda at 1144 hours. At no time did Arboleda regain consciousness or make any statement while in my presence.

Medical staff initially estimated five gunshot wounds, some of which had both entry and exit points.

Nursing staff disconnected the medical equipment and rolled Arboleda's body to remove paramedic transport equipment. I noticed Arboleda had a wallet in his right rear pant pocket. Nurse Schantin removed Arboleda's wallet, and removed his California driver license from the wallet for identification purposes. The wallet was placed into an evidence bag and remained with Arboleda. Arboleda's driver license was returned and placed into the evidence bag with the wallet. I noticed Arboleda's wallet had multiple bills of United States currency with various denominations of an unknown total value.

Nursing staff secured paper bags on Arboleda's hands to preserve any potential evidence.

At approximately 1430 hours, I was relieved by Deputy Bullard at the hospital. See Deputy Bullard's supplemental report regarding details which occurred during his presence.

Distribution List

CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN

Additional Routing

Reporting Deputy (Print)

REED, SCOTT

Date/Time Written

11/05/2018 11:45:58

Disposition

Referred

Approving Supervisor (Print)

HOEKWATER, RONALD

Supervisor ID.

54958

Date/Time

11/05/2018 11:47:46



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0001

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0001	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 82735		
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force None	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DANVILLE	Zip 94526			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	CVC2800.3	Fleeing Peace Officer- Injury

Cross Reference

No Cross Reference found

Synopsis

This is a supplemental report to the original.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

On 11/3/18 at approximately 1122 hours, I responded to Laurel Drive in Danville under the freeway over pass to assist Danville PD. While Danville PD was in pursuit of a suspicious subject the subject threw an unknown item out of his vehicle. When the item hit the ground there was an explosion of white powder

I arrived on scene at 1131 hours and located a white powder substance in the middle of Laurel Drive just north of Willow Drive. I closed the section of Laurel Drive which runs under the freeway overpass using crime scene tape and my patrol vehicle. I marked the white powder's location with index cards. I checked the surrounding area for additional

Distribution List

Additional Routing

Reporting Deputy (Print) STARK, CHRISTOPHER	Date/Time Written 11/15/2018 06:28:43	Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:59:13



white powder or a possible container related to the white powder, finding none.

I secured the scene until it was processed by the Crime Lab and filmed by the drone team.

At approximately 1446 hours, as directed by Sergeant Barden, I opened Laurel Drive for regular use.

Distribution List

Additional Routing

Reporting Deputy (Print)

STARK, CHRISTOPHER

Date/Time Written

11/15/2018 06:28:43

Disposition

Referred

Approving Supervisor (Print)

MARCHESE, KENNETH

Supervisor ID.

56458

Date/Time

11/16/2018 09:59:13



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0002

Beat
41

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0002	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment LAF	Status Report To Follow	Confidential? Yes	Empl. No / ID 77142
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force None	Call Type SSUBJ	CAD Call No. 183070327	
Location 68 COTTAGE PL					City DANVILLE	Zip	
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No
						Missing Value	Damaged Value

Offense

No Offenses found

Cross Reference

No Cross Reference found

Synopsis

This is a supplemental report.

On 11/03/2018, at approximately 1513 hours, Detective Jacquez directed me to respond to San Ramon Regional Medical Center to fingerprint the deceased subject, Laudemer Arboleda. I used my Mobile ID fingerprint reader two separate times to obtain fingerprints from Laudemer and did not get a match on the fingerprints. I observed a distinct scar on Laudemer's right thumb which appeared to be the same scar on Laudemer's DMV thumb print.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

Distribution List

CORONER CAPTAIN AND SERGEANT, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, DANVILLE PD, LAFAYETTE PD, SPECIAL OPERATIONS
CAPTAIN, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT, CRIME ANALYSIS/INTELLIGENCE, HOMICIDE SERGEANT

Additional Routing

Reporting Deputy (Print) WHITE, KEVIN	Date/Time Written 11/08/2018 07:39:50	Disposition Referred
Approving Supervisor (Print) LONDONO, DAVID	Supervisor ID. 67630	Date/Time 11/11/2018 00:49:53



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0003

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0003	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 51229		
From Date 11/03/2018	From Time 11:03	To Date	To Time	Use Of Force Firearm	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DANVILLE	Zip 94526			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	CVC2800.3	Fleeing Peace Officer- Injury

Cross Reference

No Cross Reference found

Synopsis

This is a supplement to Deputy Reed's original report, detailing my actions as the Incident Commander at the scene of the final stop. See Deputy Reed's report for additional details.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

On 11/3/2018, I was assigned as the Valley Station Supervisor for the Sheriff's Office. At 1120 hours, I responded to the intersection of Diablo Road/W El Pintado to assist with the crime scene. I arrived at approximately 1122 hours and was briefed by Sgt. Martin (Danville PD) concerning the incident. Because he was involved, he requested I assume the duties of the Incident Commander. Sgt. Martin had requested The Officer Involved Protocol be initiated prior to my arrival on scene. He was in the process of making phone notifications to the chain of command.

When I arrived on scene, Danville Officers were performing CPR on the suspect near the rear of the drivers side of his

Distribution List

Additional Routing

Reporting Deputy (Print) BARDEN,TIM	Date/Time Written 11/14/2018 09:22:04	Disposition Referred
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:57:39



car. Other Officers were securing the crime scene. There were 3 Danville PD patrol vehicles stopped in the intersection of Front Street just south of Diablo Road. Two patrol cars were facing south and one was facing north. A fourth patrol car was facing northeast in the middle of Diablo Road, just west of W El Pintado. A gray sedan was stopped just west of W El Pintado on Diablo Road. The driver and her minor son were still inside the car, and were uninjured. A gray Jeep SUV was stopped in front of the sedan between the number 1 and 2 lanes. An elderly female was standing near the driver side door and being cared for by Fire personnel. Directly in front of the SUV, resting against the north curb was a gray Honda which was driven by the suspect. I began contacting the subjects in the cars within the intersection and determining if they needed medical assistance. Officer Caruso obtained the names and contact information for the parties. San Ramon Valley Fire officials were arriving as I pulled up and began rendering aid. Deputy Maka was taking photographs of the scene.

I ensured the crime scene was secured and began assigning arriving Deputies with additional tasks. I directed Deputy Stark to the secondary scene at Laurel Drive under the I680 overpass, where an item was thrown from the suspect's car. He established a crime scene and remained there until the scene was released after being processed by detectives and the Crime Scene technicians. See his supplement for details.

I placed evidence markers near the evidence in the roadway by all the readily visible evidence. I conducted a scan of the Bev Mo parking lot and fence for any impacts from the rounds fired, but found none. There were 3 vehicles parked inside the parking lot when it was secured as part of the scene.

Deputy Reed rode in the ambulance with the suspect and remained with him until he was relieved at San Ramon Regional Medical Center. He was assigned to write the initial report concerning this incident, see his report for details.

Deputy Bullard took Officer Hall to Danville PD to be sequestered. Prior to leaving the scene Officer Hall was treated by San Ramon Valley Fire for cut to his finger sustained while breaking out the suspects window to extricate him from the car and render aid.

At 1329 hours, I was relieved at the scene by Sgt, Jensen, Danville PD, who assumed the duties of scene manager.

On Call OD Lt. Foley and Chief Shields all arrived on scene.

Distribution List

Additional Routing

Reporting Deputy (Print) BARDEN, TIM	Date/Time Written 11/14/2018 09:22:04	Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:57:39



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0004

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0004	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 70766		
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force None	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DANVILLE	Zip 94526			
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	CVC2800.3	Fleeing Peace Officer- Injury

Cross Reference

No Cross Reference found

Synopsis

This is a supplemental report.

On Sunday, November 3, 2018 at approximately 1430 hours, I responded to San Ramon Valley Regional Medical Center to relieve Deputy Reed who was with Sus - Arboleda. Arboleda was in emergency room 11. At approximately 1511 hours, Crime Scene Investigators D. Romano and J. Mertz arrived to process Arboleda. At approximately 1530 hours, Detective Jackson arrived at San Ramon Valley Regional Medical Center to relieve me and further assist in the investigation.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

Distribution List

Additional Routing

Reporting Deputy (Print)
BULLARD, RAYMOND

Date/Time Written
11/16/2018 11:13:43

Disposition
Referred

Approving Supervisor (Print)
MARCHESE, KENNETH

Supervisor ID.
56458

Date/Time
11/16/2018 11:14:10



Distribution List

Additional Routing

Reporting Deputy (Print)
BULLARD, RAYMONDDate/Time Written
11/16/2018 11:13:43Disposition
ReferredApproving Supervisor (Print)
MARCHESE, KENNETHSupervisor ID.
56458Date/Time
11/16/2018 11:14:10



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0006

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0006	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 82083
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force Firearm	Call Type 245B	CAD Call No. 183070327	
Location 68 COTTAGE PL					City DANVILLE	Zip 94526	
Evidence Yes	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc, SB40 No	Victim Response No	Marsy's Law No
						Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	CVC2800.3	Fleeing Peace Officer- Injury
2	PC245B	Assault W/ Deadly Weapon-Officer (F)

Cross Reference

No Cross Reference found

Synopsis

The purpose of this supplemental report is to document my actions during this incident. I documented the crime scene log and attached it to this report. I booked the crime scene log into Danville PD evidence.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

The purpose of this supplemental report is to document my actions during this incident. I documented the crime scene log and attached it to this report. I booked the crime scene log into Danville PD evidence.

Distribution List

Additional Routing

Reporting Deputy (Print) BARBERO,VINCENT	Date/Time Written 11/13/2018 15:43:05	Disposition Referred
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:55:14

Office of the Sheriff Contra Costa County

Crime Scene Order of Entry

DR#

18-14203

Name	Rank	Entry Date/Time	Exit Date/Time	Purpose	Evidence Removed
MAKA, SONASI	DEPUTY	ON SCENE			
MULLER, NICHOLAS		ON SCENE			
CARUSO, CHARLES		ON SCENE			
HALL, ANDREW		ON SCENE			
MARTIN, SGT	SGT	ON SCENE			
HOFFMAN, ANTON	DEPUTY	1122			
BARDEN, TIM	SGT	1127	1458		
HERNANDEZ, FABIAN	OFFICER	1140			
CAREY, B	DEPUTY	1128	1325	Traffic	
[REDACTED]		ON SCENE			
STARKE	D	1122			2ND CRIME SCENE / UNDER PRO
[REDACTED]	VICTIM/WIT	ON SCENE			VI
[REDACTED]	WIT	ON SCENE	1243		
[REDACTED]	WIT	ON SCENE			
MCNAMARA, DAN	FIRE CHIEF #31	1122	1323		
ROSSEM, MARTY	FIRE CAPTAIN #31	1122	1323		
WYLIE, BEN	FIRE CAPTAIN #31	1122	1323		
ALVAREZ, DAMIAN	FIRE ENGINEER	1122	1323		
OLSON, BRIAN	FIRE ENGINEER	1122	1323		
BULLARD	DEPUTY	1139			
BRIGHTBILL	LAF	1207	1555		
LIVINGSTON, DAVID	SHERIFF	1209			
SHIELDS	CHIEF	1210			
THOLDORN	DEPUTY	1227			
PAUL COWELL	CHAPLAIN	1230	1345		

Revised 02/07/99

Office of the Sheriff Contra Costa County

Crime Scene Order of Entry

DR#

17-14203

Name	Rank	Entry Date/Time	Exit Date/Time	Purpose	Evidence Removed
FOLEY	LT	1232			
MULLIGAN	CHIEF DAINSPECTOR	1233	1330		
NEWELL, AMERICH	MAJIL	1233			
JENSEN	SGT	1238	1745		
HOLCOMBE	DA				
WHITE, KEVIN	LAF DEPUTY	1238	1300		
SHEPPARD, KIEITH	DEPUTY	1238	1341		
VU, M.	DT. SO	1240	1525		
RHODON, KYLE	DEPUTY	1244	1247		
SILVEIRA, MARK	P. DEPUTY	1246			
Mathers, D	D.A.	1245	1253		
Balch, Scott	ENG 31	1122			
Duggan, Mike	Eng 31	1122			
TERRIS, RYAN	PARA Eng 31	1122	1327	Paramedics	
CLAUZEL, Lian	PARA Eng 31	1122	1327	"	
Jacquez, C	LT	1256	1427		
Ingersoll, M	DET	1256	1427		
Conly, J	IRM 4	1258	1551		
Lee, W	MAJIL DET	1306			
Sevens, Z	"	1306			
Thoburn, C	"	1306			
Mertz, J	CSI	1307	1415		
Kim, H	CSI	1307	1729		
Estrada, J	CSI	1307	1729		
Morris	DET	1308	1427		
ROMANO, D	DET	1307	1415		

Revised 5/2/99

Office of the Sheriff Contra Costa County

Crime Scene Order of Entry

DR# 18-14203

Name	Rank	Entry Date/Time	Exit Date/Time	Purpose	Evidence Removed
Lang, J	OPN	1312	1735		
Barbero, V	OPN	1312	1735		
Young, C	RES	1312			
Marley, M	D.A.	1315	1357		
Mathers, D	D.A.	1317	1320		
Allen, T	DET	1320	1735		
Tecill, L	Sgt	1321	1322		
Newback, E	Off.	1330	1650		
Bullard, R	DET	1330	1336		
Salzman	D.A.	1331	1357		
Souza	D.A.	1337	1357		
Mulligan	DA	1337			
MARCHESE, K	DET SGT	1346	1427		
BAILEY, L	DET SGT	1350	1427		
MORILLO, V	OFF	1416	1735		
BORLEY, S	CAPTAIN	1417	1442		
HARTMAN, R	CHP	1506	1643		
CEMAS, L	OFF	1518	1735		
NEED, J	CHP	1519	1643		
MERTZ, J	DECSI	1550	1727		
RABINO, D	CSI	1550	1727		
JACQUEZ, C	DET	1646	1704		
MATHEWS, D	DA	1646	1704		
HANSEN, M	WIT	1700	1702		
[REDACTED]	TO TRUCK	1714	1726		

OFF BARBERO
Took and
LOG



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0008

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0008	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 70625
From Date 11/03/2018	From Time 11:03	To Date	To Time	Use Of Force Firearm	Call Type 245B	CAD Call No. 183070327	
Location 68 COTTAGE PL					City DANVILLE	Zip 94526	
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No
						Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	CVC2800.3	Fleeing Peace Officer- Injury

Cross Reference

No Cross Reference found

Synopsis

This is a supplement to Deputy Reed's original.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

On 11/03/2018 responded to the above listed area to assist with an officer involved shooting. I arrived on scene at approximately 1237 hours and met with Sgt Barden who was acting incident commander. After receiving a briefing and assisting with the scene, I assumed incident command duties at 1329 hours. During my time on scene the following events of note took place:

Upon arrival, I removed all vehicle mounted AXON cameras from the vehicles involved to include:

Veh 2131: Had no cameras mounted

Distribution List

Additional Routing

Reporting Deputy (Print) JENSEN, ANDREW	Date/Time Written 11/14/2018 10:31:52	Disposition Referred
Approving Supervisor (Print) MARCHESE, KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:53:26

Veh 2146: Front and back cameras. Cameras labeled 2147 (front and back)

Veh 21WC1: Front and back cameras

Veh 2138: Front and back cameras

I then met with involved Officers Mueller, Maka, Caruso and Sgt Martin and collected all their AXON body worn cameras. Deputy Maka does not have a permanently assigned body worn camera and was wearing General Officer 2 or GO2 camera. Sgt Martin advised me at the time of collection that he was not recording at the time of the incident. Once vehicle and body worn cameras had been collected, I gave them to Chief Allan Shields at 1306 hours, who then returned them to Danville PD for upload.

San Ramon Valley Fire Department Engine personnel were released from the scene at approximately 1323 hours with the fire truck being removed from the scene at 1327 hours.

CHP was on scene from approximately 1506 hours to 1643 hours, to conduct the vehicle collision investigation between S-Arboleda's vehicle and Vic-Chase's vehicle, post shooting. Their report NCIC number was 9390 (Date:11/3/18 - time: 1104). Officer J. Reed (badge # 20013) was primary CHP Officer.

Witness-Hansen was allowed to remove her undamaged and uninvolved vehicle from the scene at 1702 hours.

Crime Lab personnel left the scene at approximately 1727 hours.

Vic-Chase's vehicle was towed from the scene to the Danville PD by Golden State Fleet Services at the owners request at 1806 hours.

The investigation at the scene was completed and the crime scene log was closed at 1735 hours (refer to Deputy Barbero's report for log details)

All roads were reopened at 1806 hours.

Distribution List

Additional Routing

Reporting Deputy (Print) JENSEN,ANDREW	Date/Time Written 11/14/2018 10:31:52	Disposition Referred
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:53:26



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0011

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0011	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 72327		
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force None	Call Type 245B	CAD Call No. 183070327			
Location 68 COTTAGE PL					City DAN	Zip 94526			
Evidence Yes	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No	Missing Value	Damaged Value

Offense

No Offenses found

Cross Reference

No Cross Reference found

Synopsis

This report concerns an outside assist for a drone team callout to film the scene of an officer involved shooting.

Person

No Person Found

Vehicle

No Vehicle Found

Vessel

No Vessel Found

Property

Evidence	Invl. Date 11/03/2018	Article Other				Brand SANDIS	Model 64GB		
	Owner Applied To				Serial Number	Value	Security? No	# Pieces	
	Description SD Card								
	Recovery								
	Rcv Date		Rcv Value		Damaged				
	Recovery Location				Recovery City	State	District	Beat	Area
	Person Link								
	Link	Person Involvement			Name			DOB	

Modus Operandi

No Modus Operandi found

Distribution List

HOMICIDE SERGEANT, PATROL CAPTAIN, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN

Additional Routing

Reporting Deputy (Print) THOLBORN,CASEY	Date/Time Written 11/10/2018 16:56:29	Disposition Referred
Approving Supervisor (Print) HOLLAND,BRIAN	Supervisor ID. 69052	Date/Time 11/12/2018 23:47:41

Narrative

On 11/03/2018, I was assigned to the Small Unmanned Aircraft Systems (sUAS) Team with the Contra Costa County Sheriff's Office. At approximately 1137 hours, I was requested by Sergeant Barden to respond to Danville to film the scene of an officer involved shooting with a drone. I arrived on scene at approximately 1229 hours. I flew approximately 10 missions and spent several hours at the scene documenting the area. After documenting the area, I downloaded the footage to a Sandisk Micro SD card and turned it over to Danville PD Sergeant Parker.

NFI

Distribution List
HOMICIDE SERGEANT, PATROL CAPTAIN, DANVILLE PD, SPECIAL OPERATIONS CAPTAIN

Additional Routing

Reporting Deputy (Print) THOLBORN,CASEY	Date/Time Written 11/10/2018 16:56:29	Disposition Referred
Approving Supervisor (Print) HOLLAND,BRIAN	Supervisor ID. 69052	Date/Time 11/12/2018 23:47:41



CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF
CA0070000

651 Pine St, Martinez, CA 94553

Report Number
180014203

Sup. No.
0012

Beat
61

Arrest?
No

Domestic Viol?
No

Incident

Report No. 180014203	Supp. No. 0012	Rpt. Date 11/03/2018	Rpt. Time 11:05	Assignment DAN	Status Report To Follow	Confidential? Yes	Empl. No / ID 50977
From Date 11/03/2018	From Time 11:05	To Date	To Time	Use Of Force Firearm	Call Type 245B	CAD Call No. 183070327	
Location 68 COTTAGE PL					City DAN	Zip 94526	
Evidence No	Finger Print No	Body Camera No	Vehicle Camera No	Elder Abuse No	Strang. or Suffoc. SB40 No	Victim Response No	Marsy's Law No
						Missing Value	Damaged Value

Offense

Offense No.	Offense	Description
1	PC245B	Assault W/ Deadly Weapon-Officer (F)
2	CVC2800.3	Fleeing Peace Officer- Injury

Cross Reference

No Cross Reference found

Synopsis

This is a supplemental report to Deputy Reed's original report.

On 11/03/2018, at approximately 1752 hours, I was directed by Sergeant Jensen to tow V- [REDACTED] 2006 Jeep Laredo (Lic. [REDACTED]). [REDACTED] Laredo was towed to the Danville Police Department as a courtesy. The vehicle had major left front end damage. The vehicle was towed by Golden State Fleet Services.

Danville dispatch entered the Jeep as a towed vehicle. FCN #1421830703249.

Person

No Person Found

Vehicle

Victim	Type Auto	License No. [REDACTED]	State CA	Lic. Year 2019	License Type All others		
	Make Jeep	Model Grand Cherokee			VIN [REDACTED]	Year 2006	
	Style 4-door Automobile	Color Silver/aluminum	Lights Out	Damage Left	Value		
	Windows Type	Tire Pattern			# Ocpts		
	Disposition	Dispo. Date	Storage				
	Modification	Special Features					
	Recovery						
	Rcv Date	Stolen/Recovered Location	Rcv Value	Location Type	Damage	General Condition	

Distribution List

Additional Routing

Reporting Deputy (Print) LANG,JAMES	Date/Time Written 11/13/2018 11:41:57	Disposition Referred
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID. 56458	Date/Time 11/16/2018 09:34:13

**CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF**Report Number
180014203Sup. No.
0012

Page 2 of 2

Recovery Location	Recovery City	State	District	Beat	Area
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Towed

No Towing Info Found

Person Link

Link	Person Involvement	Name	DOB
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Vessel

No Vessel Found

Property

No Property Found

Modus Operandi

No Modus Operandi found

Narrative

Distribution List

Additional Routing

Reporting Deputy (Print) LANG,JAMES	Date/Time Written 11/13/2018 11:41:57	Disposition Referred
Approving Supervisor (Print) MARCHESE,KENNETH	Supervisor ID, 56458	Date/Time 11/16/2018 09:34:13

PF-49 (Rev. 12/94)

Message From Terminal/Unit: STDR Operator: GATE
Originally Sent To: DWR3
Date/Time Sent: 03-NOV-2018 18:27:25
02CLET,BLFB..10.ECHO#94061.4BLFBDWR300.IV

DATE: 11/03/18 TIME: 18:27
INSURANCE INFORMATION ON FILE
POSSIBLE FILE CODES: A [REDACTED]
REG VALID FROM: 09/18/18 TO 09/18/19
LIC# [REDACTED] YRMD:06 MAKE:JEEP BTM :UT VIN [REDACTED]
R/O [REDACTED]
CITY [REDACTED]
SOLD:00/00/06 RCID:09/26/18 OCID:05/15/09 LOCD:3

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:HT
REC STATUS:
09/13/18 SMOG DUE 09/18/20

CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
146	07/21/11	19	1759	00195.00	07/26/11	POT
143	07/24/12	11	9549	00156.00	07/30/12	POT
142	07/11/13	08	7619	00137.00	07/15/13	POT
140	07/17/14	02	3463	00128.00	07/21/14	POT
141	07/09/15	04	0607	00118.00	07/13/15	POT
141	07/22/16	10	8145	00109.00	07/26/16	POT
142	07/19/17	10	7089	00119.00	07/24/17	POT
145	09/13/18	17	6169	00147.00	09/18/18	POT

04/29/2009-ODOMETER: 43,402 MILES ACTUAL MILEAGE

END

2 of 3
18-14203

Message From Terminal/Unit: STDR Operator: GATE
Originally Sent To: DWR3
Date/Time Sent: 03-NOV-2018 18:27:25
02CLET.BLFB..10.ECHO#94060.4BLFBDWR300.IA
QV.CA0070021.LIC/

INQUIRY MATCH ON LIC/
TOWED/STORED VEHICLE
LIC/ LIS/CA LIY/2019 LIT/PC
2006 JEEP GCH LL SIL VIN/
ORI/CA0070000 OCA/SP1814203 FCN/1421830703249
DOT/20181103
MIS/GOLDEN STATE 9258311929 AUTH/22651A/45011
NOA/N
ENT/ON CALIF FILE ONLY
IMMEDIATELY CONFIRM WITH ORI/CA0070000 CONTRA COSTA CO SO MNE/MRTO
TELEPHONE 925 335-1580 IF NO ANSWER CALL TELEPHONE 925 646-2441

***** END OF SVS MESSAGE *****

NO VEHICLE HIT IN WPS
***** END OF WPS MESSAGE *****

3 OF 3
18-14203

INTERVIEW WITH OFC. ANDREW HALL

Q=Mike Morley

Q1=Det. Matt Ingersoll

Q2=Sarah Burdick

A=Ofc. Andrew Hall

Q: All right. Uh, today's date is, uh, November the 3rd, 2018. The time is now, uh, 1826 hours, 6:26 pm. Inspector Mike Morley with the Contra Costa County District Attorney's Office, and this is regarding case number 18-14203. This is, um, interviewing Officer Andrew Hall. Andrew, just your date of birth?

A:

Q: Uh, with me is Detective, uh, Matt Ingersoll, uh, with the, uh, Contra Costa County Sheriff's Department.

Q1: Present.

Q: As well as, um, uh, LDF Attorney, uh, Sarah Burdick, is that right?

Q2: Yes.

Q: All right, thank you. And this is regarding an incident that took place, um, earlier today - it was originally dispatched at 1103 hours. Incident, uh, eventually ended at Diablo's Road and Front Street in Danville, and, um, just want to, uh, before we get started, so how long have you been with the, um, Sheriff's Department?

A: Five years.

Q: Five years? And so you went through the Academy?

A: Correct.

Q: Field training? Uh, do you - in that five years have you had any other specialized training or anything like that?

46 A: Uh, I'm a traffic officer, so I've been trained more than the average officer in
47 accident investigation, uh, traffic related courses.
48
49 Q: Is that not a MAIT thing is it, or...
50
51 A: It's - yeah.
52
53 Q: Oh, it is?
54
55 A: Accident reconstruction...
56
57 Q: Oh, yeah.
58
59 A: ...uh, that kind of stuff.
60
61 Q: Um, and when was the last time you, uh, qualified at the range?
62
63 A: Uh, last month.
64
65 Q: And, um, what is your sh- what - what is your assignment now? You're with,
66 uh, with the Danville PD, right?
67
68 A: Yeah.
69
70 Q: But what is your, uh, shift?
71
72 A: So I'm assigned as a traffic car, (unintelligible) Thursday, Friday, and
73 Saturday, 6:00 am to 7:20 pm.
74
75 Q: 7:20 pm?
76
77 A: Yeah.
78
79 Q: Okay. And as far as, um, what time did you wake up today?
80
81 A: 5:00 am.
82
83 Q: And what time did you go to bed?
84
85 A: 10:00 pm.
86
87 Q: And is that pretty much normal...
88
89 A: Yeah.
90

91 Q: ...amount of sleep you get...
92
93 A: Yeah.
94
95 Q: ...on a regular day?
96
97 A: On a workday, yeah.
98
99 Q: Uh, and today you were working, uh, in full uniform, is that correct?
100
101 A: Yes.
102
103 Q: Um, and is that a marked vehicle?
104
105 A: Yes, it is.
106
107 Q: So what - what type of vehicle were you driving today?
108
109 A: It was a Chevrolet Caprice.
110
111 Q: And that's got the marked - you know, light bar and everything else?
112
113 A: Yeah, black and white car with Danville Police stickers and a red and blue
114 light bar, to include a solid red forward facing light, and then a siren.
115
116 Q: And, um, your, um, uniform, can you describe that for me?
117
118 A: Yeah. So I was wearing a blue ball cap with the Town of Danville Police
119 patch on the ball cap. I was wearing a, uh, 511, uh, under vest shirt, short-
120 sleeve, with two Town of Danville Police patches. I was wearing an external
121 vest carrier. Uh, on the vest carrier with the, uh, body armor plates, um, there
122 is a gold badge on my left chest that has my name, Town of Danville Police,
123 and Officer on it. On my right chest my name, A. Hall, um, a body worn
124 camera on the center of my vest, um, a radio, a tourniquet, uh, cell phone,
125 pepper spray, a knife, a baton, and two pairs of handcuffs. I believe I was
126 wearing blue trousers, uh, the leather under belt and leather outer duty belt,
127 same brown belt. Uh, on my belt I had a department-issued holster, um,
128 holding a department-issued Sig 226, uh, 40 caliber, semi-automatic pistol, as
129 well as, uh, two additional magazines for that weapon, um, and a department-
130 issued Taser, uh, with a yellow Taser, um, and black boots.
131
132 Q: And do you carry a second, uh, firearm on you?
133
134 A: Not on duty, no.
135

136 Q: And, uh, so prior to work today - I know you start real early, but, uh, prior,
137 was there anything stressful that happened out of the ordinary?
138

139 A: No.
140

141 Q: Okay. Um, why don't you tell me, um, how this - regarding this incident
142 happened earlier today? What, uh, when it first started happening, where -
143 where were you, and how were you notified of this?
144

145 A: Yeah. So, um, I was - around the time this incident began, uh, I was on a
146 separate incident. I was on a traffic stop near the intersection of El Cerro
147 Boulevard and Ackerman Drive. Um, I had pulled over a green pickup truck
148 for a seatbelt violation. Um, while speaking or while conducting the traffic
149 stop, I heard over the radio that, uh, a B unit, uh, I believe it was B1, was
150 dispatched to what I believe was a suspicious subject, someone near Cottage
151 Place, um, and, um, something to the effect that they were walking on Laurel
152 Drive. I'm familiar with that area, uh, I knew it was downtown, um, quite a
153 ways from where I was. Uh, didn't sound like anything I needed to go to.
154 Since I primarily work traffic, I don't go to every B call unless, uh, I feel I
155 need to be going to it. While writing the citation on my traffic stop, I heard an
156 officer, I believe it was Officer Muller get on the radio and state that he
157 located the suspect, and that the suspect was walking away from him. Um,
158 Officer Muller's voice sounded very distressed, um, like the person was
159 walking away when they shouldn't have been, um, and made it sound like he
160 may have been chasing him, but he never said he was. Uh, since he didn't put
161 out any other pertinent traffic, uh, I didn't think it was a foot pursuit, so I
162 continued to write my ticket. Driver signed the ticket, I completed the - that
163 traffic stop. During that traffic stop my body worn camera was on. I leave, I
164 turned it off, walking back to my patrol car. At that time, um, the units on that
165 suspicious subject call, uh, radioed that the subject had got into a car, and that
166 they had, uh, located the car, and the car seemed to be driving away from
167 them. Um, the officers at some point put out failure to yield, which indicated
168 that the person was actively trying to get away, not just ignoring him. I
169 activated my lights and siren, responded Code 3, uh, to go assist them, uh,
170 which with what I thought was a police pursuit. Uh, especially given the
171 distance away that I was, uh, I needed to get there quickly. I responded
172 westbound on El Cerro Boulevard. Um, El Cerro dead ends into Danville
173 Boulevard. Prior to that, it intersects with Interstate 680. Based on where they
174 were located, I wasn't - it's very deep downtown, and there's no fast way to
175 get there, uh, so I was waiting for an update on direction of travel, speeds,
176 anything like that, so I could better position myself to intercept them. Uh, I
177 hadn't gotten any updates by the time I reached Interstate 680, and I didn't
178 want to get on a freeway and then pass an important exit, um, or an exit
179 completely, so I shut down my lights and siren and pulled over to the right
180 curb under the freeway, and waited for an update. At that time I saw, uh,

another Danville Police SUV - I was in a car - saw an SUV coming eastbound on El Cerro Boulevard, and it appeared to turn right, which would be southbound on West El Pintado. Uh, based on who I was hearing on scene, I believed it was Sergeant Martin. I got an update that they had the suspect at gunpoint, um, a very dangerous situation, so again, activated my lights and sirens, responded Code 3, uh, to go assist in what sounded like a - a high risk traffic stop now. Uh, I was not sure if the pursuit was continuing. Um, since they said they had someone at gunpoint, I assumed they were not rolling. I got onto southbound 680 at El Cerro, and got off at the D-Diablo Road exit, which is the next exit. Uh, turned right and proceeded west on Diablo Road towards Front Street. Um, the officers indicated they were back in pursuit or had just started another pursuit with the suspect. They were traveling I believe north on Laurel, then west on Hartz Way. Um, having - familiar with that area, I know either if you pass Front Street, you can go any of three o- directions downtown. They indicated he turned right onto Front Street, which travels northbound, uh, so I knew I was in a prime position to intercept, uh, and join the pursuit. They radioed that the suspect had passed Prospect, which is the last turn you can make before reaching the intersection of Diablo Road at Front Street. As I approached and they stated they passed Prospect, I could see the pursuit, uh, cross the bridge through the brush, coming towards me. Um, it appeared it was not a high speed pursuit, um, so at that point, um, I could see that they were pursuing a - I believe it was a silver sedan of some kind, and I positioned myself to - in a position where the suspect, um, should stop. So I pulled my car around the crosswalk area of Diablo and Front - this would have been the south crosswalk for that intersection. I cannot remember if I blocked just the right turn lane, or the right turn lane and the front left turn lane, so that that northbound Front Street road has two options, two lanes, uh, and then southbound has only the one. I believe I was blocking one or both of those lanes with my patrol car in the crosswalk, however, I made sure not to block, uh, the southbound, the other lane, so if the suspect did decide to disobey more police commands, um, he could get around me. Uh, I know my policy is I can't block vehicles. I got out of my patrol car, and I saw the suspect stop in front of my patrol car. Uh, I took a better position to see the driver. I walked to the back of my car and around to the passenger side, and I walked away from the trunk down the passenger side of the car. As I approached, I saw another police SUV pull up to my right. Uh, and I saw the officer got out. Based on - I knew who was in pursuit, and based on West El Pintado being to my rear, I believed it was Sergeant Martin. I drew my weapon and pointed at the vehicle. The vehicle then lurched forward, um, and started to turn around my police car. Um, the way Sergeant Martin parked, uh, it caused the vehicle to only be able to drive between the two cars. Um, standing there with a gun pointed at the car, I thought the suspect would stop. Suspect then turned - straightened the car back out into this alley that is now created by the two cars, pointed the car at me. At this point I can see the driver fairly clearly, and he had a very dazed or cloudy face, did not look stressed or any- uh, anything

226 to that effect. Kind of looked like he was spaced out, uh, so I believed he was
227 under the influence of something, or, uh, mentally not understanding what was
228 going on. Um, the car then lurched forward, proceeded to drive forward
229 towards me. Uh, at that point I was on the passenger side of my car. I had no
230 protection, um, that I could take cover behind, like my trunk or - or use a car
231 to barricade myself. Um, since the car was driving at me, I believed he was
232 gonna ram me, uh, and kill me. I was very fearful that he was - had no
233 intention of stopping, and that he would kill me if I did not take any action.
234 Uh, so fearing for my life, uh, I discharged my firearm towards the driver in
235 the driver's seat, through the windshield. I do not recall exactly how many
236 rounds I fired. I believe, uh, it was somewhere, uh, between four and five
237 rounds. Um, at that point I could see the driver react to the gunfire. I could not
238 tell if my rounds, uh, were making contact with him, but his body seemed to
239 recoil or react to each gunshot. Uh, he then turned the wheel left towards
240 Sergeant Martin. I now feared that he was gonna try and strike Sergeant
241 Martin, so fearing for his safety, I want to try and prevent him from harming
242 Sergeant Martin, so I discharged - I again do not remember the exact amount,
243 um, but I discharged four or five more rounds, um, into the driver
244 compartment area, the driver's seat area. Uh, at this point the car was still
245 going forward. Um, he reacted to those rounds as well, uh, straightened out,
246 and did not hit Sergeant Martin, and at this point he had almost finished
247 passing me. I did not believe we were in any danger of being struck by the
248 vehicle - hit by the vehicle at that point, um, so I stopped firing rounds. Uh, I
249 turned. The car was now behind - fit - you know, traveling behind me. I made
250 a 180-degree turn, facing the vehicle, and I watched it - I could hear the
251 engine revving, as if he's flooring it. The car, um, accelerated as if he was
252 flooring it, but there was no steering input. It just went straight in the last path
253 that I saw it. It proceeded towards a group of cars, uh, and collided head on
254 with at least one of them that I could see. And I could see the airbag, uh,
255 smoke and dust come out from the car he hit and his own car. Uh, then I
256 watched it crash into the curb, uh, stay in that position. The engine's still
257 revving. I ran up to the vehicle on the driver's side with my gun still out, uh,
258 pointed at the driver, and started to pie the driver door, uh, taking small
259 increments to clear the vehicle, and not just rushing into the driver's possible,
260 uh, aiming area. Um, I could see the driver, and it appeared his eyes were
261 open, but he was not, uh, there was no reaction, there was no response. Um,
262 his arms were down, he was not moving. At that point I did not feel he was a
263 threat, and my concern changed to his vehicle, uh, take, uh, becoming a
264 runaway vehicle with it running, accelerating. Um, I put my - holstered my
265 weapon. I tried the door handle, it was locked, so I took out my knife, it has a
266 glass punch on the end, and I took out a baton. It's not - the glass, uh, punch is
267 not spring-loaded, um, so I set the punch on the glass and I used my baton,
268 and I tapped the knife. The window shattered or, uh, spidered, I guess you
269 should say, didn't fall out of the window sill though. So I took my baton and
270 raked the glass out of the window area, in doing so, I cut my fingers. Uh, I

271 reached in and opened the car door. The car door opened, uh, and other
272 officers on scene grabbed the suspect and pulled him out of the car. Once he
273 was pulled out of the car, the engine stopped accelerating, so I believe his foot
274 was the reason it was accelerating. Um, I reached in and unlocked the driver
275 door, or hit the unlock button on the driver door. I saw someone was standing
276 on the other side of the car, a police officer, um, I believe I said something to
277 the effect of "Turn the car off," 'cause I couldn't reach it with the suspect now
278 at my feet. Um, officers started treating the suspect - oh, I'm sorry, let me go
279 back real quick. Um, after the car passed me and I turned and I watched it
280 drive off towards the other vehicle, I put out radio traffic, uh, that shots were
281 fired, and then after we pulled him out of the car, I requested, uh, Code 3
282 medical response. Um, from what I could tell there were at least one gunshot
283 wound to his abdomen area, um, and again, he wasn't responsive to any of our
284 commands, uh, he wasn't moving. The rest started to become chaos, running
285 around and trying to now secure the scene. Um, I went over to the SUV that
286 he hit, and the driver was still seated in the driver seat. I checked on her
287 welfare. She was verbally responsive. She complained of pain from the airbag.
288 Uh, she asked if I had shot that man. I told her I couldn't talk about that. Uh, I
289 returned to my vehicle and obtained, uh, AED medical electronic device for
290 shocking a heart back into rhythm, and a first aid kit, and I ran back to the
291 suspect. Uh, every officer appeared to be working on him at that time. Um, his
292 shirt had already been cut off, so I administered - I applied the AED, uh,
293 sticky pads to his body and turned it on, trying to resuscitate him. Uh, I turned
294 it on and the unit checks for vital signs, and then it advises if you should
295 shock or start CPR. The unit advised we should start CPR, and a shock was
296 not advised, and I instructed the officers on scene to start CPR. Um, uh, I then
297 went - returned to my vehicle. I could see Sergeant Martin was on the phone,
298 and other Sheriff's units were responding, uh, and arriving on scene. The fire
299 department arrived on scene, and started treating to the suspect. I went to the
300 trunk of my car. Uh, I grabbed my Albuterol asthma inhaler. Uh, once I was
301 able to take a breath, I was realizing that I was having, uh, some symptoms
302 from my asthma, so I took two puffs of the inhaler, which is the normal dose
303 for that. Um, I returned it to my bag and grabbed, uh, traffic cones, and I gave
304 the traffic cones to, uh, I believe it was Deputy Hoffman at Prospect and Front
305 Street, as he was starting a road closure at that area, and I gave, uh, the rest of
306 the cones to Deputy - I believe it was Deputy Muller who was tying crime
307 scene tape to a fire truck near the middle of the intersection. And I returned to
308 my car and got more crime scene tape, and started to, uh, try and tie off the
309 area. Deputy Caruso told me to stop and relax, and stop working. Uh, I
310 continued to help direct units around. I went to Ambulance 31, San Ramon
311 Valley Ambulance 31, uh, to try and get a Band-Aid for my finger. At that - at
312 - probably because of the adrenaline, uh, I didn't realize I was bleeding pretty
313 heavily and, uh, so I went in to ask if I could get some treatment for my
314 finger. He said here's some gauze, and then I could see the gurney was
315 approaching the ambulance, so I told him to stop and help the suspect. I got

316 out of the ambulance and they left, uh, Code 3 to the hospital. I'm not sure
317 which hospital they went to. Um, Sergeant (Bargan) then, uh, saw my hand
318 and told me to get more treatment from one of the firefighters on one of the
319 fire trucks, and they patched me up like this, um, with gauze and tape and a
320 Band-Aid, and, uh, Sergeant Martin advised - or instructed, um, the Valley
321 Station Sheriff's Deputy to sequester me, as I was the officer involved in the
322 shooting. So (Ray Bullard), Officer or Deputy (Bullard), uh, brought me to his
323 patrol car. Um, I called my girlfriend. Uh, she and I had spoken on the
324 possibility of this happening at work, so we have kind of come up with a
325 phrase to explain, "Hey, I was involved in something. I can't talk about it, I'm
326 safe, I'll call you when I can." She answered, I told her that statement real
327 quick, that "I was involved in that thing I never want to do, but it happened.
328 I'm safe. I love you. I'll call you later." And Deputy (Bullard) drove me to
329 Danville Police Department, uh, and sequestered me, and we were sitting in
330 the lineup room. Uh, I received a phone call from (Sean Welsh), uh, advising
331 me that, uh, my attorney was contacted and would be calling me. He also
332 advised it was appropriate to turn off my body camera at that point. Uh, I
333 turned it off and it was given to Chief Shields, and I've remained sequestered
334 ever since.
335

336 Q: Okay. Um, just a few things. Um, when this incident started, you know, first
337 you were on a traffic stop and you said that, you know, you heard some stuff
338 going on, but it was, you know, nothing to respond to immediately. Um, at
339 what point did it become where you started to - to respond? And was there
340 two - did you start to respond and stop, is that what you said?
341

342 A: Yes.

343
344 Q: When were you at orig- so you - you were at the traffic stop at El Cerro and
345 Ackerman?
346

347 A: Correct.

348
349 Q: Is that where you initially started to respond from?
350

351 A: Yes.

352
353 Q: Okay.
354

355 A: I believe I initially responded Code 3 when - I cannot remember if it was -
356 they located him and he was walking away from them, um, or if he had gotten
357 to his car and was now driving away from them. Um...
358

359 Q: Do you know where you were when you started responding Code 3?
360

361 A: From El Cerro, um, and Ackerman.
362
363 Q: Oh, okay.
364
365 A: At the traffic stop. Uh, I left the - the person I stopped, he got his ticket and he
366 left, and then I sat there and waited until I realized, um, what was going on. It
367 was at that time I attached myself to the call.
368
369 Q: Yeah.
370
371 A: F12 on our computers, and then you type in the, um, call sign for who you
372 want to go help, and you hit enter, and it shows you en route. Um, so I never
373 got on the air and said it, but I attached myself that way. Uh, like I said, on the
374 way I wasn't getting enough information to properly let me know where I
375 should respond. That's when I stopped responding Code 3 and pulled over.
376
377 Q: And where was that at?
378
379 A: Um, El Cerro Boulevard and underneath Interstate 680.
380
381 Q: And, um, how - and when did you start up again?
382
383 A: I sat there, um, may- probably less than a minute. Um, not for very long, just
384 long enough to see Sergeant Martin drive down West El Pintado, um, and then
385 long enough for me to determine yes, the smartest course of action is take the
386 freeway to Diablo, to Front Street.
387
388 Q: Was there something that came over the radio at that point that made you now
389 decide to start heading that way?
390
391 A: The officers stated they had the vehicle, um, the vehicle failed to yield, um,
392 was initially what - I believe - I can't 100% remember. It may have been they
393 said the vehicle failed to yield when I was at my traffic stop. Um, the two big
394 incidents were vehicle's failing to yield, and then we have the vehicle at
395 gunpoint.
396
397 Q: Mm-hm.
398
399 A: Um, so it may have been the vehicle failed to yield at my traffic stop.
400 Couldn't - wasn't getting information, stopped.
401
402 Q: Stopped?
403
404 A: "We have the vehicle at gunpoint at this location," and then I responded. I - I
405 can't say with certainty which order that was in.

406
407 Q: Okay. And then, um, what - when - when you heard the broadcast where they
408 said, "We have him at gunpoint," and then it sounded like he took off again, is
409 that what it was, something like that?
410
411 A: Yeah. Uh, to...
412
413 Q: What...
414
415 A: I'm sorry.
416
417 Q: What was going through your mind at that point? I mean did that - did that
418 change your, uh, perspective of the incident?
419
420 A: Yes. Um, when a vehicle flees - I have very limited pursuit experience, uh, but
421 when I do, um, the person's fleeing for a reason. That reason's usually a
422 felony, um, either violent or not violent. Uh, we treat it the same. When we do
423 finally catch that person, or that pursuit comes to an end, we treat it like, um,
424 there is a dangerous felony. Uh, so we - it's called a high risk stop. We're
425 trying to put that in the Academy, and, uh, that's where you use a - a small
426 perimeter of the units, um, with your gun out and give verbal commands, uh,
427 to the suspect, instead of rushing in to, uh, grab him, (unintelligible).
428
429 Q: And the fact that the, um, you know, with some pursuits it's just a person
430 takes off, and they're evading while the officers are pursuing with red lights
431 and siren. But at some point they'll stop, right, and then - and then they'll
432 usually comply. Was it the fact that this person - when the officers put their
433 guns drawn on him and he took off again, did that make it any different to
434 you? Did that make it more serious or...
435
436 A: Yes, the - the culmination of it, um, to one, get called on. Someone called the
437 police on him in the first place, so he was doing something that warranted
438 police contact. Then to come in contact with the police on foot and then leave,
439 um, to get in your car and leave, and then to be, uh, they put out that they were
440 gonna go on a traffic stop on him. So to be lights behind you, possible a siren,
441 and to not stop, okay, now I think you have something to hide or something of
442 that nature, and then to flee, stop, have guns pointed at you, and then flee
443 again, uh, told me - at that point this person has - there's something very
444 serious going - uh, likely very dangerous. Um, and he's already, um,
445 expressing very dangerous behavior.
446
447 Q: Mm-hm.
448
449 A: I - I don't think the average person would go through those steps if they
450 weren't, um, trying to get away with something or had something to hide, or

451 something like that. During the pursuit an officer did radio that he threw
452 something out of the car. Um, they couldn't see what it was, so that also leads
453 me to believe if you have fled the police multiple times, fled when guns were
454 pointed at you, and threw something, it's likely a weapon, maybe a firearm.
455 So you probably have more than just that one, uh, in the car or on you. Uh, so
456 at the point where I'm joining this pursuit, this person has exhibited great
457 interest to get away, um, as well as discarding something.
458
459 Q: Mm-hm.
460
461 A: Um...
462
463 Q: Okay.
464
465 A: ...so I was probably at my highest sense of vigilance in - when I came in
466 contact with the car.
467
468 Q: So, um, at the one point you said as you were approaching the - basically
469 almost the - that final turn, you know, where the pursuit ends up terminating,
470 uh, you could see the, uh, you said you could o- you could see the pursuit
471 through the - what was it, the...
472
473 A: The brush.
474
475 Q: ...brush?
476
477 A: Yeah.
478
479 Q: Okay. How far - where - where are you at that point?
480
481 A: At that point I'm, uh, at least 300, 400 feet away.
482
483 Q: From...
484
485 A: I was roughly at the intersection of West El Pintado, um, and Diablo, which is
486 the next intersection east from Diablo and Front Street.
487
488 Q: And, uh, you said it didn't look like it was a high speed pursuit, but that you -
489 could you see that there was the - the other Danville Police officer behind
490 him, uh, with red lights and siren?
491
492 A: Yes.
493
494 Q: Okay. So then you - you said you pulled up, um, in a position that you were
495 not blocking the - I guess it would be the right lane, or we...

496
497 A: Be the west lane.
498
499 Q: ...the west lane?
500
501 A: Yeah.
502
503 Q: Yeah.
504
505 A: The most western lane.
506
507 Q: But you kind of came in where you - you couldn't really go any further
508 because he's coming right at you?
509
510 A: Correct.
511
512 Q: Right. And, uh, and then did you - was Sergeant, um, what's his name?
513 Sergeant Martin behind you at that point?
514
515 A: No, it wasn't 'til I got out of my car and moved to the passenger side did I
516 even notice another SUV pull up.
517
518 Q: Okay.
519
520 A: Um, and based on me knowing that, uh, Officer Muller and Caruso, uh, and
521 (Maca) and then a - a ride along were behind the suspect, um, I - at no point
522 did I hear Deputy (Reed), who I knew was working, uh, did I hear him join
523 the pursuit, um, so I did not think he was there. Um, and having saw Sergeant
524 Martin pull onto West El Pintado just before I got on the freeway, um, the
525 timing made sense for it to be him.
526
527 Q: Right. And so you stopped and then, uh, you got out of the car, and you
528 walked around the back of the car, is that what you said?
529
530 A: Yes.
531
532 Q: You're back to the r- and then came to the passenger side. Um, any reason for
533 you to cha-cha- uh, choose that, uh, positioning at all?
534
535 A: Um, well like I said, based on where my vehicle was stopped, um, if the
536 suspect wanted to continue to flee, he would go around my car down the
537 passenger side.
538
539 Q: Mm-hm.
540

541 A: Um, I wanted my presence to be so that it would likely deter him from fleeing.
542
543 Q: Mm-hm.
544
545 A: If I stood in the - you know, if my driver door opened, you know, on that side,
546 um, that doesn't - he may not even see me, and it would - I don't think it
547 would have deterred him.
548
549 Q: Mm-hm.
550
551 A: Um, my whole goal was to see a police presence and give up.
552
553 Q: Okay.
554
555 A: Uh, so my - in my head my plan was to open the passenger door and stand
556 behind it.
557
558 Q: Oh.
559
560 A: Um, and give verbal commands, hoping that he continued to stay, but...
561
562 Q: So then - yeah, so then you came - you were gonna come around that side of
563 the vehicle and then all of a sudden, Sergeant Martin pulls up to your right?
564
565 A: Somewhere around that...
566
567 Q: Okay.
568
569 A: ...timeframe, yeah.
570
571 Q: And then did the - a vehicle ever - when he's coming down the street and
572 there's a vehicle pursuing him, does he ever - you know how before there was
573 times where he sounded like he stopped and then kept going? I mean does he
574 stop at all at that point?
575
576 A: Yes. Initially when I pulled up and blocked those lanes...
577
578 Q: Uh-huh.
579
580 A: ...and got out, I saw that he stopped.
581
582 Q: Okay.
583
584 A: Um, so, moving to the passenger side I was hoping he would remain stopped.
585

586 Q: Mm-hm.
587
588 A: Uh, give verbal commands and...
589
590 Q: And then at that point...
591
592 A: ...effect an arrest.
593
594 Q: ...you were thinking how, you know, in a felony vehicle stop like that, you
595 know, someone's - if the person does get ordered out, someone has to make
596 the approach, right, to handcuff him and stuff like that?
597
598 A: I wasn't thinking that far ahead.
599
600 Q: Okay.
601
602 A: I was just trying to, uh, stop this rolling pursuit.
603
604 Q: So as you, um, get there and then Sergeant Martin pulls up on your right, uh,
605 then what - what happened next?
606
607 A: So I'm standing on the side of my car. Um, again I can see the - the suspect,
608 and his facial expression isn't one I would expect in a pursuit. He seemed
609 overly calm or - or spaced out, and, uh, and like I said he was stopped
610 initially. Uh, he then begins rolling again and turns around my car.
611
612 Q: Does he ever make eye contact with you?
613
614 A: I don't recall.
615
616 Q: Okay.
617
618 A: Um, based - like and then like I said, based on our positions with those two
619 police cars now, he only had one exit.
620
621 Q: Mm-hm.
622
623 A: Um, and Sergeant Martin and I are both standing in it.
624
625 Q: Mm-hm.
626
627 A: Um, not the best tactics but at that point, um...
628
629 Q: Did Sergeant Martin get out of the car?
630

631 A: I believe so.
632
633 Q: Okay.
634
635 A: He did at some point 'cause...
636
637 Q: Okay.
638
639 A: ...I eventually saw him out of the car...
640
641 Q: Yeah, yeah.
642
643 A: ...um, when this started. So, he turned around my car and then started
644 proceeding towards me. Um, and again, the culmination of - got police called
645 on him, fled on foot...
646
647 Q: Mm-hm.
648
649 A: ...fled in his car once through something, had a gun pointed at him already,
650 fled again, has been stopped now by me, and is now fleeing again, he's not
651 gonna stop. He's had many chances to stop, he's not gonna stop this time, and
652 there's nowhere for me to go.
653
654 Q: Mm-hm.
655
656 A: Um, and so I had to...
657
658 Q: Now does he just accelerate, right? Or is he lurching at you, what is he doing?
659
660 A: Um, it appeared he was just proceeding normal, uh, like as if someone would
661 leave a red light - I'm sorry, uh, stopped at a red light and gets a green, and
662 then proceeds.
663
664 Q: Mm-hm.
665
666 A: Uh, it didn't seem like he was gunning it to run me down, but he - it seemed
667 he was unaware that I was even there, and...
668
669 Q: Uh-huh.
670
671 A: ...was, uh, it looked like he was set on proceeding straight.
672
673 Q: All right. Yeah, like what you said earlier...
674
675 A: The - the...

676
677 Q: ...he wasn't even - he looked like he was out of it almost then...
678
679 A: Right.
680
681 Q: ...so...
682
683 A: The - the distance - even if he had floored it, I don't think it would have
684 presented the - the velocity change that would have looked any different. I
685 don't think he - it didn't look like a sports car, so I don't think it would have
686 taken off any faster if he had floored it than if he had just naturally
687 accelerated.
688
689 Q: Mm-hm.
690
691 A: Uh, at that point I'm seeing a car drive towards me.
692
693 Q: And how far - at the point where you discharged your firearm, can you
694 estimate how far away the vehicle...
695
696 A: I would...
697
698 Q: ...was from you?
699
700 A: ...approximate it half a car length.
701
702 Q: Okay.
703
704 A: Um...
705
706 Q: And is it heading at you?
707
708 A: Initially, yes.
709
710 Q: And so at that point did you feel that you were gonna be struck by the vehicle?
711
712 A: Yes. I feel like I had nowhere to go, and I feel like he was gonna hit me and
713 continue driving, regardless if he struck me.
714
715 Q: And so you fired at the driver?
716
717 A: At the driver's seat, yeah, at the driver.
718
719 Q: Okay.
720

721 Q1: And at any point did you try - retreat, uh, to try and get out of, you know, like
722 as you're shooting or you try to go...
723
724 A: I think I was backing up.
725
726 Q: Uh-huh.
727
728 A: It's just the natural instinct when a car's coming at you. I - I don't remember
729 purposely doing it. It was probably - instinctively, I...
730
731 Q: Mm-hm.
732
733 A: ...moved backwards.
734
735 Q: Try to get away?
736
737 A: Yeah.
738
739 Q: Or try to...
740
741 A: Yeah, I - I...
742
743 Q: ...prevent...
744
745 A: ...think someone's trying to kill me right now...
746
747 Q: Yeah.
748
749 A: ...so I'm trying to run away from it.
750
751 Q: Okay.
752
753 A: Um...
754
755 Q: Um, have you ever seen someone, uh, hit by a vehicle, a motor vehicle? Like
756 you do accident investigations.
757
758 A: Yeah.
759
760 Q: You ever dealt with a pedestrian at, uh, at - have you seen the result of what a
761 vehicle striking a human being, what it can do to someone?
762
763 A: Yeah, I'm very aware.
764
765 Q: So you - what would - at that speed coming at you, do you think that you were

766 - that you would have received grave, possible, um, fairly serious injuries if
767 you were struck by a vehicle like that?
768
769 A: Yes, based on - on my traffic experience, um, and videos I've watched, uh, as
770 well as just calls I've responded to prior to being a traffic officer, um, from
771 the distance he had at the speed he was going, uh, it would have easily caused
772 great bodily injury, but likely death.
773
774 Q: Okay. Um, okay, and then like you said, afterwards, when the vehicle
775 continued on and struck the other vehicle, then you responded over there to -
776 just to check on everybody, right?
777
778 A: So before that though, my - I had my initial volley 'cause I felt the threat to
779 my life.
780
781 Q: Uh-huh.
782
783 A: Um, the driver seemed to react to that, and it worked. He changed course. I
784 don't know if he actually changed course or if I got out of the way, I'm not
785 sure.
786
787 Q: Mm-hm.
788
789 A: Um, I didn't feel like I - my life was in danger at that point, but I could see he
790 was now driving towards - or in my - from my view where I was standing, it
791 looked like he was now driving towards Sergeant Martin. Um, so now I'm
792 fearing for his life, again, the whole culmination of all the multiple events he
793 had to stop but didn't, um, and now continuing to flee after he's being shot at,
794 uh, I feared he was gonna continue and hit Martin and at those speeds, likely...
795
796 Q: Do you know how - do you know how - could you estimate how far the
797 distance between your car and, uh, Sergeant Martin's vehicle?
798
799 A: The only estimation I can go off of was wide enough to fit a car through...
800
801 Q: But not much more?
802
803 A: ...'cause I - I really don't recall.
804
805 Q: But it's pretty narrow other - or besides a car getting through, is that about it?
806
807 A: I don't think a semi-truck...
808
809 Q: Yeah.
810

811 A: ...would fit.
812
813 Q: Right. It was just a small vehicle, barely would fit through that type of
814 (unintelligible)? Sorry, I'm not very...
815
816 A: I'm - I'm only going off what...
817
818 Q: Yeah.
819
820 A: ...I know happened.
821
822 Q: Yeah.
823
824 A: And that's the size I can imagine.
825
826 Q: Yeah, so basically almost the width of his car?
827
828 A: At least, yeah, since he made it through.
829
830 Q: Yeah, but not much more, is that what you're saying? Or do you know?
831
832 A: I don't know.
833
834 Q: Okay. Okay. Um, and then obviously once you went and checked on him and
835 were able to open the vehicle and take a look, and then you guys obviously
836 called for an ambulance and CPR and everything else?
837
838 A: Yeah, and then ren...
839
840 Q: Okay.
841
842 A: ...tried to render aid to him...
843
844 Q: Right.
845
846 A: ...as best we could. I mean there was a lot of us that came. It turned into a little
847 bit too many people. Uh, we were - some of them were just standing 'cause
848 we didn't know - "Can I help? You want me to do this?" "I don't know." Um,
849 but then it was treat him primarily 'cause, you know...
850
851 Q: Mm-hm.
852
853 A: ...he was just shot at, um, and then the people he just struck with his car.
854
855 Q: Mm-hm.

856
857 A: Um, and then scene management due to this now fairly large crime scene.
858
859 Q: Mm-hm.
860
861 Q1: Uh, at any point when you were applying the - the, um, pads to the suspect,
862 um, do you recall, did he make any spontaneous statements? Do you
863 remember hearing anything from him?
864
865 A: No.
866
867 Q1: Okay.
868
869 Q: Anything that, uh, we haven't asked you that you think might be important for
870 us to know?
871
872 Q2: I have a couple of follow up questions.
873
874 Q: Sure.
875
876 Q2: Um, so one, I - I think you mentioned you may have not. Did you have body
877 camera activated?
878
879 A: Yes, I did.
880
881 Q2: And at some point do you think your dash cam also activated?
882
883 A: No.
884
885 Q2: Okay.
886
887 A: So, um, not on this white board, but the white board in the Sergeant's office,
888 uh, the vehicle I was in, uh, its unit number is 2131. Um, it is - been reported
889 prior to this incident that the dash cams were not, uh, functioning properly.
890 Uh, it's a new system and some of the cars are having issues. Uh, so that was
891 reported, uh, to Sergeant Jensen, uh, who takes up updating our Axon, uh,
892 fleet cameras. Um, so I - the dash cams were not, uh, working in that
893 particular vehicle.
894
895 Q: Mm-hm.
896
897 Q2: Okay. And then prior to sitting down in this interview, had you reviewed any
898 of your body camera footage?
899
900 A: No, I have not.

901
902 Q2: Or any of the other footage taken by other officers today?
903
904 A: No, I have not.
905
906 Q2: Have you reviewed any of the media coverage surrounding the case?
907
908 A: No, I have not.
909
910 Q2: Have you talked to any of the other involved officers regarding the facts?
911
912 A: No, I have not.
913
914 Q2: So is all of this to the best of your recollection today?
915
916 A: Yes.
917
918 Q2: Okay. And now let's kind of fast forward to the end of this, uh, before suspect
919 starts driving at you and you discharge your weapon, uh, I think you
920 mentioned that you were kind of in - you think you were instinctively kind of
921 backpedaling a little bit, right?
922
923 A: Uh, as I was shooting.
924
925 Q2: Yeah. Did you have, uh, any cover or concealment available to you to get
926 behind, to avoid being hit by this car?
927
928 A: Initially I did not.
929
930 Q2: Mm-hm.
931
932 A: I was - I - I think I was roughly near the B pillar on the passenger side of the
933 car.
934
935 Q2: Okay.
936
937 A: Um, backing up would provide me the ability to then - once I pass the trunk,
938 to move to the left and get behind the trunk, or use the car as kind of a
939 barricade.
940
941 Q2: Mm-hm.
942
943 A: Um, but I didn't - at that point the vehicle had passed me.
944
945 Q2: Okay, okay. And so, before you get to I suppose that point of relative safety,

946 uh, do you think you would have been struck by the suspect's vehicle had you
947 not discharged your weapon?
948
949 A: Absolutely.
950
951 Q2: Okay. I believe that's it for me.
952
953 Q: Okay. Anything else?
954
955 Q1: No.
956
957 Q: All right. Well, that's going to, uh, conclude this interview. The time is now
958 1908 hours, and this is with, uh, Officer Andrew Hall. Hi, uh, today's date is
959 still, uh, November the 3rd of 2018. The time is now, uh, 2001 hours or 8:01
960 pm. Inspector Mike Morley, Contra Costa County DA's Office, just following
961 up, uh, with Andrew Hall, with case number 18-14203. Uh, Detective Matt
962 Ingersoll still here, along with, um, oh, the, uh...
963
964 Q2: Sarah Burdick from Rains.
965
966 Q: Thank you. Uh, so you've had an opportunity to review the, uh, uh, body
967 worn camera?
968
969 A: Yes.
970
971 Q: Uh, is there something that you wanted to, uh, add?
972
973 A: Yes. Um, uh, in regards to my initial statement, um, after arriving on scene,
974 um, exiting my car, uh, I'm not sure of my verbiage.
975
976 Q2: So just to be clear for the tape, this is at the kind of conclusion of the pursuit,
977 when he's arriving at the corner of what, Diablo and Front?
978
979 A: Front Street and Diablo Road, yeah.
980
981 Q2: Yes. And so when he's exiting his vehicle, waiting for the discharge of his
982 firearm?
983
984 A: So I've stopped my car.
985
986 Q2: Yeah.
987
988 A: Um, the suspect is stopped in front of my car. I exit my car and turn my back
989 to the vehicle. Then I come around the vehicle, I draw my weapon, which is,
990 uh, normal. We're trained to do that for high risk stops. Um, as I turn the last,

uh, the right rear corner of my trunk, uh, as I turn that corner, the vehicle is already driving towards me. Um, at that point I have nowhere to go. I'm now between the car and my car. Um, absolutely fearing for my safety, um, at those kind of speeds, it's very easy to be injured. Um, and I could not retreat, um, so fearing for my safety and my life, um, I felt the only way to stop him was discharging my firearm. Um, I initially thought that I had fired my weapon, paused and then fired my weapon. Um, I now see that it was one continuous volley, um, as the vehicle moved, um, past my car and Sergeant Martin's car. Once the threat had passed me I stopped firing, um, and then proceeded to make contact with the suspect after he crashed.

Q2: And so again for the tape, at - you said now that you have seen, what - what did you review in between giving your primary statement and giving this follow up statement that has either refreshed or changed your recollection?

A: Yes, I've reviewed, um, the video from my body worn camera that I was wearing on that day. It's an Axon body worn camera.

Q2: Mm-hm.

A: Uh, I reviewed the video, both, uh, from what I was wearing as well as the dash camera of Officer Muller's patrol car.

Q2: Mm-hm.

A: Um, given those two perspectives, uh, it has changed my recollection to be more accurate.

Q: And then, uh, we just wanted to clarify another thing to, uh, as far as you - the - the way you normally load your - your, um, your firearm, how many rounds is norm- are normally loaded in your, uh, when it's...

A: Yes. So, uh, I previously mentioned I - I carry a department-issued Sig Sauer P226, um, pistol, and that's chambered and 40 caliber. Um, I am issued 36 rounds of 40 caliber from my department. Each magazine - uh, I carry three magazines - each magazine carries 12 rounds, and I carry an additional one round inside the chamber of the weapon. Uh...

Q: So you would have had...

A: ...at the time of this incident the gun, um, did have one round in the chamber, as well as 12 rounds in the magazine.

Q: 13?

1036 A: Totaling 13 rounds.

1037

1038 Q: Okay. Okay. Anything else?

1039

1040 Q2: That's it for me.

1041

1042 Q1: Yeah, that's it for me.

1043

1044 Q: And this, uh, both interviews took place today at the, uh, Danville, uh, I guess
1045 it's the...

1046

1047 A: Police Department.

1048

1049 Q: ...Police Department. What's the location here?

1050

1051 A: 510 La Ganda Way.

1052

1053 Q: La Ganda Way? Okay. All right. Uh...

1054

1055

1056 The transcript has been reviewed with the audio recording submitted and it is an accurate
1057 transcription.

1058 Signed _____

INTERVIEW WITH CHARLES CARUSO

Q=Insp. Eric Solzman

Q1=Det. (Nelly) Morris

Q2=Sarah Burdick

A=Charles Caruso

1
2
3
4
5
6
7
8
9
10
11
12
13
14 Q: Okay. This is Inspector Eric Solzman with the Contra Costa District
15 Attorney's Office. It's, uh, November 3rd about 5:35 pm. I'm here with
16 Detective (Nelly) Morris from the Contra Costa County Sheriff's Office and
17 we are interviewing Charles Caruso from Danville Police Department. And,
18 uh, he is here with his attorney, Sarah...

19
20 Q2: Burdick from Rains Lucia Stern.

21
22 Q: And, uh, we're here talking about the incident that happened here in the city
23 of Danville today. Um, as I just spoke with you, uh, Charles, uh, this is a
24 voluntary statement. You're a witness in this incident and we're just gonna
25 ask you basically what happened today. Okay?

26
27 A: Yes I understand.

28
29 Q: Okay. Um, let's start out with, uh, just quick background with you. Um, uh,
30 when did you go to the Police Academy?

31
32 A: 2015, uh, did we - did we start in May and then finish in September?
33 Something like that.

34
35 Q: Okay.

36
37 A: I - I can't remember the months. I just know I went in 2015.

38
39 Q: Okay. And, uh, so you graduated the Academy and, uh, what was your
40 assignment, uh, from that point on?

41
42 A: Uh, from there I was assigned to the Martinez Detention Facility.

43
44 Q: Mm-hm.
45

46 A: And I spent, you know, approximately six months there. Um, and then I
47 transferred to the West County Detention Facility, uh, and I worked there
48 about a year and I transferred out to Patrol. I did my Patrol Training and then I
49 came straight to Danville. And I've been on patrol in Danville for a little over
50 a year.

51
52 Q: Okay.

53
54 A: It's about a year and two months.

55
56 Q: Okay. Um, and, uh, you've had updated training throughout that - through
57 your, uh, positions that you've had?

58
59 A: Yes, um, standard, uh, EVOC training and firearms training and required post
60 trainings.

61
62 Q: Okay. So let's, uh, start with, uh, this morning. Um, what time did you start
63 your shift?

64
65 A: Uh, 0600.

66
67 Q: Okay. And, uh, you were assigned I believe a ride-along. Is that correct?

68
69 A: Yes.

70
71 Q: Okay. Um, but that ride-along went with, uh, somebody else prior to going
72 with you?

73
74 A: Yeah she started off with, uh, Sergeant (Martin).

75
76 Q: Okay. So, um, you have briefing at 6 o'clock in the morning. Um, what time
77 did you hit the street about?

78
79 A: When did I roll outta here? Maybe about s- maybe around 6:30 I actually l-
80 left here.

81
82 Q: Okay. Um, and you were a solo unit then, right?

83
84 A: Yes.

85
86 Q: Um, how many calls did you respond to as a solo unit, uh, prior to having this
87 ride-along that came with you?

88
89 A: I don't know that - I don't remember that anything came out actually in the
90 morning.

91
92 Q: Okay.
93
94 A: Yeah.
95
96 Q: Okay.
97
98 A: I didn't make any traffic stops at - at that part of the morning.
99
100 Q: Okay.
101
102 A: I don't think any calls came out.
103
104 Q: Everything completely normal routine as we say?
105
106 A: Yeah.
107
108 Q: Okay.
109
110 A: Yeah I mean we drove around some. We went to, uh, grabbed a bagel at
111 Noah's Bagels.
112
113 Q: Okay. Um, and then about what time did you get the ride-along?
114
115 A: Uh, 8:30-ish.
116
117 Q: Okay. Um, and what was, uh, the ride-along's name?
118
119 A: [REDACTED]
120
121 Q: Okay. Um, and what was she, uh, was she just a normal citizen ride-along or...
122
123 A: She's currently going through the Sacramento Police Academy.
124
125 Q: Okay.
126
127 A: And, uh, so she was just doing a ride-along but - so she's - she's in the
128 Academy.
129
130 Q: Okay.
131
132 A: And she - she applied with the Sheriff's Office along with a number of other
133 agencies.
134
135 Q: O...

136
137 A: She's trying to get hired on. She's...
138
139 Q: She's going to Costa County Sheriff's Office?
140
141 A: Yes the Contra Costa County Sheriff's Office.
142
143 Q: Okay. Um, so you picked her up and, um, prior to this incident with the -
144 we're interviewing you about how - how many calls do you think you
145 responded to? What type of things?
146
147 A: Uh, the two main ones that jump out of my head were a couple of traffic stops.
148
149 Q: Okay.
150
151 A: Um, like, e- the first thing we did is we went to - they called me to Safeway
152 on Camino Tassajara to, um, check out some video surveillance from a prior
153 incident, a theft, uh, for one of my partners.
154
155 Q: Okay.
156
157 A: Um, so I took her, we went and did that. Reviewed the video and they're
158 gonna download it. Um, and then we - do anything before we started making
159 traffic stops - yeah. I think we, uh, I think I logged, um, we went to, like, a
160 couple of local parks and just did basic checks.
161
162 Q: Okay.
163
164 A: Just drove around and just like...
165
166 Q: Nothing out of the ordinary?
167
168 A: No nothing out of the ordinary.
169
170 Q: Okay perfect. Um, so how did this - the incident we're, uh, talking to you
171 about, how did that come abouts to you?
172
173 A: Uh, so we - I had just finished up a traffic stop with my partner. So, um,
174 Deputy (Macha) and Officer (Moeller). They made a traffic stop on Shady
175 Creek off of Camino Tass and we went and covered 'em. They did a vehicle
176 search, basic stuff, nothing major. He wrote a citation for expired registration.
177 Um, and we finished that up and then it was - I remember it was pretty much
178 exactly 11 o'clock 'cause we were talking about going to get early lunch.
179
180 Q: Mm-hm.

181
182 A: Um, so we left there and we were driving down Camino Tass towards
183 Danville, westbound, and while we're heading into town, um, a suspicious
184 subject call came out. Um, and I recognized the location. It was gonna be on
185 the way that we're going so I just kept following Deputy (Macha). Um...
186
187 Q: So they were d- dispatched to it and you - you, uh, were gonna assist 'em?
188
189 A: To cover 'em, yeah. So they were - they got dispatched to it, um, I put myself
190 to cover and, uh, I was just following them at that point. Um, we turned - so
191 Camino Tass becomes Sycamore, um, and we turned onto Old Orchard which
192 takes us through a neighborhood to where the call was which was on Laurel
193 Drive. Um, as we - we got to the area. I saw my partner pull over so I pulled
194 over next to him - or behind him, and I started to get out of my car. And
195 Deputy (Macha) and Officer (Moeller) re-, uh, they're call- I heard them
196 hollering at somebody. And I couldn't see who they were, you know, they
197 were kinda yelling hey, trying to get somebody's attention and they started to
198 say, like, stop. And I realized they were hollering at a guy. Um, so we were - I
199 think it's northbound on Laurel, uh, the direction we were facing and the - the
200 guy, which I realized when I looked at - he was seated in a car. He matched
201 the description that we'd been given. Um, so he was in the car and he started
202 to drive away. I started yelling at him and I stepped out into the street, um,
203 about the middle of the street. And I'm yelling at him, waving at him, "Hey
204 stop. Stop." I look at him and he just keeps driving right by. Um, so we both
205 jumped back into our cars. They turned around first and started following him,
206 uh, I think it's south. I think Laurel is north and southbound at that point.
207 Southbound on Laurel. I turned around and by the time I was turned around,
208 um, (Moeller) radioed me and said they'd check the - checked the first left
209 street that we would come to, which is Willow. So we went down Willow and
210 there was, like, three people out on the street just a house, a couple houses in.
211 So I rolled the window down and said, "Hey did a car just come by there -
212 come by here?" And they're, like, no we haven't seen any cars. So okay. So
213 we - we finished down the street just to check. It's a dead end. We turn
214 around, we came back out. And by then (Moeller) radioed that, uh, they
215 (unintelligible) the vehicle again and it was turning back onto Brookside
216 which was a street around the corner from us. So we drive around there,
217 around Laurel and as we drove around Laurel I saw the vehicle coming, um,
218 towards us and it made a right-hand turn onto Glen Arms and then (Moeller)
219 was right behind it. And I - I radioed 'cause I didn't know if he realized it so I
220 said, "Make a right." They follow him and we get up there to Glen Arms. We
221 make a left onto Glen Arms and - and right about then I hear them - they
222 actually call out an 11-95, a traffic stop. Um, and so I can - I could see that he
223 turned his li- he had his lights on. I could see the car had pulled over, like it
224 started to yield. So just as we got up - up there it took off again. Um, I think at
225 that point (Moeller) was still in the front and I was behind him. And so we

226 followed him, make a - it's a right-hand turn back onto Laurel and at that
227 point it's - he yielded again. He pulled over and stopped, the - the suspect did.
228 (Moeller) pulled behind him and I kind of pulled to the side of (Moeller) and
229 so we were kinda both - 'cause at this point he's already c- he's failed to yield
230 a couple of times and he drove by me. So we're - we're not sure what's going
231 on. So I pull up next to him and I start to get out of my car and (Moeller)'s
232 getting out of his car, and (Macha) and then the guy takes off again. So I jump
233 right back in and now I'm in the front, um, because they're still getting into
234 their cars. So I take off after him and I've got my lights and siren on. And, uh,
235 we're driving down Laurel which goes towards Front Street or Front Way.
236 And, uh, I'm pretty sur- uh, if I remember correctly I told my ride-along to -
237 to grab the PA 'cause I had the radio i-, in my hand.
238

239 Q: Mm-hm.

240
241 A: And since I had a person there that I can give directions to I told her to pull
242 the PA and gif- gave her verbal commands to say this, say - say stop, pull over
243 and she just said exactly what I told her.
244

245 Q: Mm-hm.

246
247 A: Um, and he di- and he kept going. He made a - a right-hand turn onto Front
248 Street which I know the main part of it turns into a dead end or there's a left
249 through a - a - some townhouses that circles back out. So he's going down
250 Front and I'm coming up behind him, and he starts to kinda makes, like, a
251 wide left turn and kinda stops or is going really slow. I pull up here and I
252 don't remember if I quite blocked him off but I pull up next to him and I
253 jumped out. So at this point, uh, I, um, pulled my gun out 'cause I - just for -
254 oh, he dropped something. I remember my ride-along said he - he threw
255 something out the window when we were driving on Laurel.
256

257 Q: Okay.

258
259 A: Um, she said he dropped something. I put that out on the radio. So at this
260 point I know he's - he - it's pretty clear that he's seen me, you know, actually
261 seen me approach and go by me. And he's pulled over like he understands he
262 should. Like, we've got lights and sirens on but then he's kept going multiple
263 times. I know he dumped something out the window. And - and we even put
264 our commands over the PA system. So I don't know what's - I'm heightened.
265 I know that there's - there's some serious threats going on here. So, um, I'm
266 pointing my gun at him and telling him, "Show me your hands," and, uh, he
267 actually puts his hands up. He lets go of the steering wheel but he'd already
268 put it in reverse so his car starts backing up. His hands were off the wheel.
269 Um, so I'm kinda in the front of the car, I'm looking at it. (Moeller) comes up
270 to the driver side and tries to open the door but it's locked. Um, and at that

271 point he - he, uh, the suspect, he puts his hands back on the wheel and speeds
272 up in his reverse. So he backs up, um, and, uh, I remember (Macha) ye-
273 (Macha) yelling at me. He's like, "Step to your left," 'cause I was still a little
274 bit in the, in his way. Uh, so I stepped to my left and he sped off. Went past
275 (Moeller)'s car and, uh, back down Front Street. Um, so we both jumped, got
276 back into our cars. (Moeller) was in front. I was behind him and we're
277 following him. We turned onto Front Street, um, and followed him down
278 Front Street right to the intersection of Diablo. And at that point (Hall) came
279 off of Diablo. Um, I don't know if the - I don't know if the guy stopped or
280 hauled off and - or what the deal was but he stopped there. I remember (Hall)
281 being out of his car and shooting. Um, I don't remember quite if I got out of
282 the car, if I had started to get out of the car or not. But, um, after the shots
283 were fired, uh, the suspect vehicle kept t- it turned right onto Diablo. It kept
284 driving. Since I was right in my car I followed it and it TC'D pretty much
285 right after it turn onto Diablo. It hit another vehicle coming westbound on
286 Diablo. Um, I pulled my car up, (Hall) was right there 'cause he was out of his
287 car, he was on foot. It wasn't, uh, it was less than 50 yards away - I mean I'm
288 50 feet away.

289
290 Q: Mm-hm.

291
292 A: Um, we jumped out. I went around to the passenger side 'cause (Hall) was
293 already at the window. So I kept my gun on me, uh, to cover him. Um, (Hall)
294 broke out the rest of the window. (Macha) was there. And they reached
295 through. They opened the door. They pulled him out and from there it was -
296 everybody went into life-saving measures. I put my gun away. I went over, I
297 grabbed out, um, a med kit, a CPR mask. Um, (Moeller) got out of med kit.
298 He got scissors and cut the guy's shirt up so we could access his chest. So I
299 put on gloves, um, and put direct pressure on his - actually, the first thing I
300 saw was two, uh, bullet wounds to the chest so I just put pressure on those
301 with my hand. And then, um, (Hall) came up with an AED and we hooked
302 that up and either - it either didn't get a read or something but - so we said
303 start CPR. So (Macha) and I started CPR. He did the compressions, um, I did
304 the breaths. And then, uh, fire showed up. We did s- a few cycles of CPR and
305 then they put him on a backboard and they took over.

306
307 Q: Okay. Um, back to the beginning of your shift, um, do you do a full vehicle
308 inspection, check your lights and siren, all that stuff?

309
310 A: Yes, I did that this morning.

311
312 Q: Okay.

313
314 A: I did it every...

315

316 Q: Was everything working properly?
317
318 A: Yep.
319
320 Q: Okay.
321
322 A: All the lights worked, um, it was, um, there's a wail and a yelp, I did both of
323 them. I did the air horn. Um, and this morning I even checked my, uh, there's
324 just, like, a extra - extra bright overheads and left and right lights and...
325
326 Q: Okay.
327
328 A: ...they all worked. And I checked my...
329
330 Q: And all emergency lights working correctly?
331
332 A: Yes. Yeah I checked all three positions of those.
333
334 Q: Okay. Um, uh, what kind of call? You said suspicious person or whatever. Do
335 you remember the details or...
336
337 A: Yeah it was, um, an Asian male adult, 20 year- 28 years old, 5'7" and had a
338 weight, approximately weight, um, and had a clothing description. Um, it was,
339 like, a gray sweatshirt, um, they - and he was ringing the RP's doorbell. Uh,
340 and RP didn't - it sounded like the RP didn't know him and wanted him
341 checked out.
342
343 Q: Okay. Um, and did they give a vehicle description? I - I - uh, I drew a blank
344 on that.
345
346 A: Uh, I don't think they did. I'm pretty - I'm pretty...
347
348 Q: Did they just - they just said it was a person?
349
350 A: Yeah.
351
352 Q: Okay. Um, and, uh, when you guys first saw him and he took off that first
353 time you said that, uh, (Mueller - Mueller) right?
354
355 A: (Moeller).
356
357 Q: (Moeller) went after him and you kinda went a different direction?
358
359 A: Ye- so when I first pulled up they - they recognized it was him and they're
360 yelling at him.

361
362 Q: Sure.
363
364 A: And then I realized they were yelling at a person in a car. Um, so when he
365 took off by me they got back in their car and they made a U-turn, um, to go
366 after him. I got in my car and made a U-turn and so they were re- like, around
367 the corner. Laurel turns into a corner. So they're out of my sight by the time I
368 started coming up. And so he radioed back and s- a- I think - it's a total guess
369 but I'm guessing they lost sight of him.
370
371 Q: Okay.
372
373 A: 'Cause they said, "Hey check the - check the first left."
374
375 Q: Gotcha.
376
377 A: 'Cause there was - there's two streets that you drive by to get to the corner. So
378 that first street that I came to was Willow.
379
380 Q: Okay.
381
382 A: Actually we'd driven just a little past it. I turned and went back up Laurel - I
383 mean back up Willow.
384
385 Q: W- did - did he - when he first went after the guy did he turn on his lights or
386 siren? That very first...
387
388 A: When he first made his U-turn...
389
390 Q: Yeah.
391
392 A: I don't remember. I - yeah.
393
394 Q: Well what about you?
395
396 A: Um, hm, I'm pretty sure I didn't.
397
398 Q: Okay.
399
400 A: 'Cause I wasn't chasing him per se.
401
402 Q: Okay. Um, and then there was a - the second - well the next time he'd - he -
403 he had actually you said he pulled over at one point.
404
405 A: Yeah when (Moeller) called out 11-95, um, the guy actually had - had pulled

406 over some, had yielded and stopped.
407
408 Q: Okay. And you came up at that point, correct?
409
410 A: Yeah, behind (Moeller).
411
412 Q: Okay.
413
414 A: I was coming up and then I see he took off again bef...
415
416 Q: Okay. And when...
417
418 A: ...before we actually stopped.
419
420 Q: And when he took off that time did you guys both have your lights and siren
421 on at that point?
422
423 A: Um, I'm pretty certain, yes.
424
425 Q: Okay. Um, and, uh, w- was that continuous at that point?
426
427 A: From that point yeah. I'm...
428
429 Q: Okay.
430
431 A: ...almost certain.
432
433 Q: Okay.
434
435 A: I don't remem- if - once I turned them on, whenever that exactly was, I don't
436 think I turned them off for any reason.
437
438 Q: Okay. Um, you said at the incident where the - where the shooting happened
439 you saw (Hall) shooting. Where was (Hall) in relation to the suspect vehicle?
440 Or where was (Hall) in relation to his vehicle and the suspect vehicle?
441
442 A: The only thing I - the only thing I clearly remember is he's towards the front
443 of the suspect's vehicle.
444
445 Q: Okay.
446
447 A: Um, I just don't r- uh, I can remember specifically where his car was.
448
449 Q: Do you know how close he was to the suspect vehicle? Could you guesstimate
450 or...

451
452 A: I think it was pretty much of the - right in front of the car.
453
454 Q: Okay.
455
456 A: You know. Um, less than - less than 10 feet away I think.
457
458 Q: Okay. Um, did you see the suspect vehicle go towards him or did you just see
459 (Hall) shooting?
460
461 A: I just saw, uh, (Hall) shooting.
462
463 Q: Okay. And how many shots do you think you heard?
464
465 A: I mean, like, approximately several.
466
467 Q: Okay. Um, and you actually saw (Hall) shooting his gun and you heard it
468 right?
469
470 A: I heard it. I saw him with his gun out. What I remember is seeing glass flying
471 out of the windshield in conjunction basically with the shots.
472
473 Q: When you say out of the windshield it'd be out of the suspect vehicle
474 windshield?
475
476 A: Out of - yes.
477
478 Q: Okay.
479
480 A: Yeah the suspect windshield.
481
482 Q: Okay. Um, I think s- that's all I have right now. (Nelly)?
483
484 Q1: Um, (unintelligible). Y-, uh, you mentioned, uh, you described a little bit
485 about your car with the lights and siren, you inspected your car.
486
487 A: Mm-hm.
488
489 Q1: Can you tell us - I see that you're wearing a - a blue uniform. Can you tell
490 what your uniform looks like and what you had on...
491
492 A: Yeah.
493
494 Q1: ...at the time of the incident?
495

496 A: So it's, uh, it's li- I was wearing a short-sleeve shirt. It has Danville Police
497 patches on it just like these.
498
499 Q1: Mm-hm.
500
501 A: Uh, and then I wear - I have an over-vest, a vest carrier.
502
503 Q1: Okay.
504
505 A: On the front of that it has a badge. Um, it has my name tag and some of my
506 gear on the front. It's got a radio, my cuffs are in it.
507
508 Q1: Mm-hm.
509
510 A: Uh...
511
512 Q1: Full duty wa- a belt?
513
514 A: Yeah - yeah my - so on my belt itself my gun's on my right hip.
515
516 Q1: Mmm.
517
518 A: Um, my mag pouches are in my front on kind of my left side, and my Taser's
519 on my left hip.
520
521 Q1: Okay.
522
523 A: And then, um, my vest carries my ASP, pepper spray, uh, an extra flashlight,
524 two pairs of cuffs, a radio and then, um, my body cam.
525
526 Q1: Okay. Um, and you gave us a little bit of a description of what the subject
527 looked like. Asian male with a gray sweatshirt. Uh, anything else, um, that
528 made you think, uh, it was the same subject that you guys, um, were trying to
529 apprehend?
530
531 A: Um, from the time that my - th- the biggest thing was - I mean for whatever
532 reason (Moeller) and - and (Macha) at the time were, like, trying to get him to
533 stop.
534
535 Q1: Okay.
536
537 A: They were like, "Hey s- hey I wanna talk to you. Hey stop. Stop."
538
539 Q1: Mm-hm - mm-hm.
540

541 A: Um, and then I realized - 'cause there wasn't anybody else around.
542
543 Q1: Mm-hm.
544
545 A: It made sense to me that, you know, either that was the guy or there was some
546 very specific reason they wanted him to stop. They were saying, "Stop."
547
548 Q1: Okay.
549
550 A: So at that point, you know, it's a - a command so I'm good to - so I was, like,
551 well, they want him stopped so I need to say, "Hey stop."
552
553 Q1: And it was right by that area where the PR was calling...
554
555 A: Yeah it was...
556
557 Q1: ...(unintelligible) about that.
558
559 A: ...pretty much right there.
560
561 Q1: Okay. Uh, do you remember the car description of this subject?
562
563 A: Um, so, uh, there wasn't a description in the call, um, and I - as far as now it's
564 - it was a Honda if I - if I remember correctly.
565
566 Q1: Do you remember what color?
567
568 A: I remember - I think I remember the license plate. It should be [REDACTED]
569 [REDACTED]
570
571 Q1: Okay. Um, have you seen that car or that subject in Danville on - have you
572 seen it before?
573
574 A: Not that I know of. Not that I remember.
575
576 Q1: Okay. Um, and you said, um, you heard, uh, Officer (Hall) fire several shots.
577 Did you see any other officer fire any - any rounds or did you fire any rounds
578 yourself?
579
580 A: No I didn't fire any rounds and as far as I know no one else fired any rounds.
581
582 Q1: Okay. And once you guys, uh, started with the life-saving measures for the
583 subject, um, can you say if it was consistent since when you guys pulled him
584 out all the way up until AMR got there? It was - it was all CPR that you guys
585 did. You guys rendered - I'm gonna ask again. Did you guys render CPR all

586 throughout that - that whole time?
587
588 A: Yeah once - once we started - so once we started the actual CPR we never
589 stopped, (Macha) and I.
590
591 Q1: Okay.
592
593 A: Um, I don't know the actual time of - of them pulling him out to, um, so they
594 pulled him out of the car, they got him on the ground, um, and I remember - I
595 remember (Moeller) yelling, "Get me something to cut with."
596
597 Q1: Mm-hm.
598
599 A: Like scissors, and I was, like, well, I got a med kit. So I ran to my car. It was
600 the closest one. So, um, I got in my car and got out my med kit and my CPR
601 mask.
602
603 Q1: Mm-hm.
604
605 A: And I gave the med kit to (Moeller) and said, "Open that up. Find what you
606 need. I'm gonna put on gloves." I put on gloves and, uh, and he found the se-
607 found the scissors. He cut 'em open - cut - excuse me. He cut his clothes, not
608 the middle - um, to expose his chest and I - so the measures from - from there
609 were continuous.
610
611 Q1: Okay. And part of your, um, training and experience and, um, the training, the
612 classes that you attend is - is first aid and CPR are also included in those
613 courses?
614
615 A: Yes.
616
617 Q1: Okay. Okay. I think that's it.
618
619 Q: Um, really quick. Uh, your ride- your ride-along, where was she, um, at the
620 time of the shooting and where did she go or whatever?
621
622 A: Uh, she was in my front passenger seat.
623
624 Q: Mm-hm.
625
626 A: And she stayed in the car the whole time up until he was transported off-
627 scene. And we kinda got, like, a perimeter set. She just stayed in the car.
628
629 Q: Okay.
630

631 A: Um, it wasn't until - I don't know an exact time - 10, 15, 20 minutes...
632
633 Q: Mm-hm.
634
635 A: ...um, where we kinda got to a point where it was kinda waiting for other
636 resources to (find us) and stuff and I was like, "Hey," I was like, "You wanna
637 stretch your - you wanna get out?"
638
639 Q: Mm-hm.
640
641 A: I was at a point where I could, you know, make sure she was all right more.
642 And so she - she just got out of the car and just stood by it just to be out for a
643 little bit. Um, but she didn't have - she never went to, like, the suspect vehicle
644 or anything. Or never got out when, um, you know, when I stopped or any of
645 those things.
646
647 Q: And where was your car in relation, once again, to the suspect vehicle when
648 the shooting started?
649
650 A: When the shooting started?
651
652 Q: Yes. Was it right behind the suspect vehicle or...
653
654 A: No. So there was - the suspect car was I think about at the crosswalk...
655
656 Q: Okay.
657
658 A: ...of Front Street.
659
660 Q: Mm-hm.
661
662 A: Which was on Front Street appro- at the - at about in the crosswalk of Diablo,
663 Front Street and Diablo. That's where the suspect car was. (Moeller)'s car was
664 behind it. I don't remember if it was directly behind it or to the left.
665
666 Q: Okay.
667
668 A: And then I was behind (Moeller)'s car.
669
670 Q: Okay.
671
672 A: So, um, I don't remember distance. That's the one thing - I don't remember if
673 I - if I got out of the car or if - if I had started to get out of the car 'cause it
674 stopped or not. But after (Hall) shot, the car started moving again, the suspect
675 car.

676
677 Q: Okay.
678
679 Q1: Mmm.
680
681 A: And I had plenty of room to, um, to follow it.
682
683 Q: Okay.
684
685 A: So - 'cause I didn't know if, you know, he...
686
687 Q: So you came from around (Moeller)'s car at that point and followed them
688 behind...
689
690 A: Yeah I was - I was still on the right-hand side of the road of - of Front Street,
691 um, and followed the car up. And then it - it...
692
693 Q: To the crash area.
694
695 A: Yeah. And so then when it crashed, um, you know, two cars, it crashed close
696 to head-on, essential- I don't think it was quite head-on but mostly it - so the
697 suspect vehicle hit another vehicle or the other vehicle hit it. I don't know.
698 And I kinda came up to the right side of the suspect car. Not quite up to it.
699
700 Q: Okay.
701
702 A: But - but close.
703
704 Q: Okay.
705
706 A: Um, and then got out.
707
708 Q: And back to, uh, your ride-along, i- when she had the, uh, PA and you were
709 telling her to say certain things, what point of the - the pursuit I guess or the
710 chase - was that going on?
711
712 A: That was - when we were right behind the suspect vehicle and we were
713 northbound on Laurel, um, approaching Front Way, there's - we were right -
714 there's, like, Front Way and Front Street.
715
716 Q: Mm-hm.
717
718 A: It's kinda confusing but - um, whichever that one is that intersects with
719 Laurel.
720

721 Q: Okay.
722
723 A: Which I think is Front Way. We were driving northbound on Laurel and I was
724 telling her to get the PA and say - it was like, "Stop," and "Pull over," and (I
725 mentioned her) whatever I was telling her she said exactly that and...
726
727 Q: And how many times do you think you guys went through that, uh, voice...
728
729 A: Two or three or four.
730
731 Q: Okay.
732
733 A: Uh, uh, up 'til - I was having her s- say that for a little bit. I mean I don't
734 know exactly i- I'd say maybe three or four. Maybe it's five or six. I don't
735 know.
736
737 Q: Yeah. Sure, not a problem.
738
739 A: Um, and then once he turned, um, and kinda stopped I know after that I didn't
740 give her - I hadn't told her anything else. She didn't keep doing anything after
741 - and she only did what I told her.
742
743 Q: Okay. The, uh, vehicle speeds in this pursuit, what was it like?
744
745 A: (Unintelligible)...
746
747 Q: Was this a high speed pursuit?
748
749 A: No.
750
751 Q: Okay.
752
753 A: No. I don't think, um, I'd say in general I was mostly with them the whole
754 time. I - and I don't remember ever going - I'd be surprised if we ever got
755 over 50 at the most.
756
757 Q: Okay.
758
759 A: I don't think I ever - I don't think that I ever went that high but it - it wasn't
760 anything that - 'cause I - I - I guess it'd be 50 at the most.
761
762 Q: Okay. Um, was he - what type of laws was he violating if any during that
763 pursuit? Was he endangering other vehicles in the area? Would it...
764
765 A: (Unintelligible).

766
767 Q: ...you know, was he (running) stop signs or signals?
768
769 A: Um, y- he - he ran the stop sign. There's a stop sign right at Laurel and - and
770 Willow pretty much. Um, he ran that. He never had, uh, I don't recall ever
771 seeing any sign- uh, turn signals.
772
773 Q: Mm-hm.
774
775 A: Um, dumping stuff out of the vehicle.
776
777 Q: And what - and in ba- in - in that - you say he threw something out. Did you
778 see him or did your ride-along see him?
779
780 A: My ride-along. I didn't see it.
781
782 Q: And what did she say that it was to you?
783
784 A: So when we were in the car she said - she said he - he threw something out the
785 window or he dropped something out the window. She said - she said it, like,
786 twice. Um, and then I radioed, put it on the radio. I said, "He just - he just
787 threw something out the window."
788
789 Q: Okay.
790
791 A: Um, I didn't see it. And later on, uh, she had told me that it was - she saw a
792 poof hit the ground, like a white powder.
793
794 Q: Gotcha. Um, now what was the - it's mainly residential area. Is that right?
795
796 A: Yes.
797
798 Q: Okay. What was the traffic li- like?
799
800 A: None. Uh, there was none.
801
802 Q: Okay.
803
804 A: I don't remember a single car.
805
806 Q: Okay.
807
808 A: Luckily. Thankfully.
809
810 Q: Okay. Mm-hm. Um, (Nelly) anything else?

811
812 Q1: I think we're good.
813
814 Q: Okay.
815
816 Q2: Yeah just a few follow-up questions. So, uh, you mentioned that he had done
817 a failure to yield a couple of times right? Um, when he does that was he given
818 paths of potential escape away from the police cars that were pursuing him?
819
820 A: Yes - yeah. There was - there was never a time when he was completely
821 blocked in. Um, he was i- the closest that woulda been was when he wa-
822 turned onto Front Street and started to turn - there's another residential there.
823 He kinda made a wide left and I came up. And I don't qui- I may have - I just
824 don't remember. It'd be on my body cams. But I might've blocked him in the
825 front there but he was still able to back out and he did. He backed out and then
826 (Moeller) hadn't - (Moeller) didn't block the street off because he was able to
827 drive out past us.
828
829 Q: Mm-hm.
830
831 Q2: Okay.
832
833 A: Um, and, um, all the other - the times where he pulled over and stopped...
834
835 Q2: Mm-hm.
836
837 A: ...we never pulled up and barricaded him in.
838
839 Q2: Okay. So - and he was able to obviously take those paths of escape until, um,
840 he didn't I suppose in the end.
841
842 A: Yeah well even up the fro- even - he was even able to pass - able to drive past
843 (Hall).
844
845 Q2: Mm-hm.
846
847 A: Um...
848
849 Q2: At the very end.
850
851 A: Yeah.
852
853 Q2: Yeah.
854
855 A: Until he TC'D with the - the other vehicle.

856
857 Q2: Mm-hm. Um, so by the time he pulls over, you mentioned that - that a couple
858 of times you were able to get out of your vehicle and each time you did you
859 had your gun drawn right?
860
861 A: Uh, the first time I had my gun out was - was on Front Street and the - how
862 the - I can't - I don't remember what the street is...
863
864 Q: Was that in the corner, the cul-de-sac?
865
866 A: Yeah so Front Street ends in, like, a little cul-de-sac.
867
868 Q2: Mm-hm.
869
870 A: To the right you can go - it's a dead end. There's, like, um, some senior living
871 - like, the back of a senior living facility. To the left there's a street, um, the -
872 is a - is a loop back out to Front and those are townhouses.
873
874 Q2: Mm-hm.
875
876 A: So that was the first time that I - I drew my gun out.
877
878 Q2: Mm-hm.
879
880 A: You said that was - it's at that point we've had, um, several fail to yields when
881 I know clearly. Like, I - I've seen him, you know, I've actually looked in his
882 face and I...
883
884 Q2: Okay.
885
886 A: Like, I'm, you know, I'm identified as a police officer.
887
888 Q2: Okay.
889
890 A: He hasn't - he didn't stop. He dumped something out of the window. Um, he's
891 - he's shown, you know, lights and sirens on with (Moeller). He pulls over
892 and stops...
893
894 Q2: Mm-hm.
895
896 A: ...and then takes off again. He'd done that three times by now. So at least - I
897 know that it's, you know, there's something going on. There's - it's - it's, um,
898 like I say, high-risk at this point.
899
900 Q2: Mm-hm. Okay. Uh, and so you mentioned that you had a body camera on.

901
902 A: Mm-hm.
903
904 Q2: Right? And did you also have your dash cam activated at some point during
905 this?
906
907 A: Yes they activate when I turn my lights on.
908
909 Q2: Okay.
910
911 A: Until, um, I'm pretty certain - I think I turned my lights on at - so (Moeller)
912 called out a traffic stop.
913
914 Q2: Mm-hm.
915
916 A: And he started to yield.
917
918 Q2: Mm-hm.
919
920 A: When I came up and he took off again, um, that was when I put - I - I'm
921 almost certain that was when I put all my stuff on my, um, siren. And then I
922 was in the lead because (Moeller) - they were out of their car. They had
923 started to get out of their car.
924
925 Q2: Mm-hm.
926
927 A: So I was in a better position to ste- keep going and be behind them.
928
929 Q2: Well prior to sitting down in this interview today you haven't reviewed any of
930 your body camera footage right?
931
932 A: Correct.
933
934 Q2: And you haven't spoken with anybody else involved in the incident about the
935 facts right?
936
937 A: Correct.
938
939 Q2: Or reviewed any of the media coverage, anything like that right?
940
941 A: Correct.
942
943 Q2: So is all of this to the best of your recollection?
944
945 A: Yes.

946
947 Q2: Okay. That's it for me.
948
949 Q: What's your badge number Charles?
950
951 A: Uh, ID number is 82338.
952
953 Q: 82338?
954
955 A: Yes sir.
956
957 Q1: And what was your call sign?
958
959 A: 21X3.
960
961 Q1: Okay.
962
963 Q: Okay. Anything else?
964
965 Q1: No.
966
967 Q: All done? Okay. It's, uh, 6:10.
968
969

970 The transcript has been reviewed with the audio recording submitted and it is an accurate
971 transcription.
972 Signed _____

INTERVIEW WITH [REDACTED]

Q=Insp. Solzman

Q1=Det. Morris

A=[REDACTED]

Q: This is Inspector (Eric) Solzman with the Contra Costa District Attorney's Office. I am here with, uh, Detective (Nelly) Morris from the Contra Costa Sheriff's Office and we're interviewing [REDACTED]

A: [REDACTED]

Q: [REDACTED] She was a ride-along is that correct?

A: Yes sir.

Q: Okay. And this is the - happened in the, uh, City of Danville. It is, um, what's the date today (Nelly)?

Q1: It is, uh...

A: The 3rd.

Q1: November 3rd.

Q: November 3rd and it's 3:00 pm. Okay [REDACTED] how do you, uh, spell your last name?

A: [REDACTED]

Q: And what's your birthday [REDACTED]?

A: [REDACTED]

Q: And what's your home address?

A: [REDACTED]

Q: Mm-hm.

46

47 A: [REDACTED]

48

49 Q:

50

51

52 A: [REDACTED]

53

54 Q:

55

56 A: [REDACTED]

57

58 Q:

59

60 A: [REDACTED]

61

62 Q:

63

64 A:

65

66 Q:

67

68

69 A:

70

71 Q:

72

73 A:

74

75 Q:

76

77 A:

78

79

80 Q:

81

82 A:

83

84 Q:

85

86 A:

87

88 Q:

89

90

And what about a home phone number? Or cell number? Actually a cell number probably is best.

Uh-huh.

Mm-hm.

Do you have a home number?

No.

Okay. Okay so let's start with, um, you were on a ride-along with this officer? Do you know the officer's name that you were with?

I was with Officer (Caruso).

Okay. And, uh, what was your ride-along purposes? Are - are you?

I'm an applicant with Contra Costa County.

Okay.

So I was just seeing what the different departments and subdivisions were like and.

Okay.

Whether or not I would be interested in the department.

Okay. Perfect. What time did you, uh, start the ride-along today?

We started briefing at 0600 this morning.

Mm-hm. And then, uh, then you went out on the street after that with Officer (Caruso)?

91 A: I went out originally with Sergeant (Martin).
92
93 Q: Okay. And, uh, and then how long did you ride with (Martin) before you
94 switched to (Caruso)?
95
96 A: About two or three hours? I wanna say I went with, um, Officer (Caruso)
97 about nine o'clockish.
98
99 Q: Okay.
100
101 A: This morning.
102
103 Q: Um, how many - did you go to any calls or anything like that prior to, uh, this
104 incident that happened?
105
106 A: We went to Safeway to try and find surveillance about an iPad that was stolen.
107
108 Q: Mm-hm.
109
110 A: And we did two vehicle stops prior.
111
112 Q: Okay. Um, anything out of the ordinary on those two stops or anything? Was
113 it just pretty routine stuff?
114
115 A: Very routine.
116
117 Q: Okay. So about this incident. Um, start from the beginning how you guys
118 came upon this person and what happened from there.
119
120 A: Um, we were getting ready to go to lunch and then he said well hold on we
121 got a call about a susp- a suspicious person. So we're just gonna go check this
122 out really quick.
123
124 Q: Mm-hm.
125
126 A: So we head over to the area and as we came up and put the cars in park along
127 the right side of the road a car with - may have matching the description of the
128 suspicious person was on the left side. And they, um, Officer (Caruso) -
129 Officer (Macha)? (Maka)? Um, I'm not sure I'm not sure how to say his
130 name.
131
132 Q: Mm-hm.
133
134 A: Both got out of the cars and were trying to stop him from driving away. The
135 man continued to go so they - I thought they were under the impression he

136 didn't see them. So the first patrol car was Officer (Macha) and Officer
137 (Molar).
138
139 Q: They were in the same car together?
140
141 A: Yes.
142
143 Q: Okay.
144
145 A: They turned around and started following him, um, but by the time they had
146 turned around the hadn't seen necessarily which direction he'd gone. So they
147 got behind a car from my understanding that turned out not to be the suspect
148 vehicle. So we turned - since we turned around behind them we went down
149 the first street to the left and I believe it was Willow. We followed it down to
150 the end. There was nothing down there. And when we came back out we
151 heard that the suspect car was heading back down in our direction on
152 LaFayette I believe is the street name.
153
154 Q: Okay.
155
156 A: We saw the suspect vehicle turn from their direction they had taken a right. So
157 Officer (Caruso) went on the radio and let, um, sorry I'm really cold.
158
159 Q: That's okay.
160
161 A: And let Officer (Macha) and Officer (Molar) know that he had turned right.
162 So they continued to turn right. He - at some point started to stop. The officer
163 started to get out of the car - all three of them. The car that we were going
164 after took off again. We got him into a cul-de-sac where he was kind of
165 pinned in between the two cars and Officer (Caruso), Officer (Macha) and
166 Officer (Molar) all got out of the cars assuming I think knowing he was gonna
167 try to leave again. And had tried like I said had tried to corner him in. And
168 they drew their weapons and then the vehicle left again. Where we turned
169 around and Officer (Macha) and Officer (Molar) were in the car in front of us
170 again and we were behind. And I'm not very familiar with the city so I'm not
171 sure how we...
172
173 Q: That's okay.
174
175 A: ...we wound up at the intersection right next to where the incident happened.
176 And I was - I'm sorry when we came into the cul-de-sac I had originally got
177 on - he - Officer (Caruso) had asked me can you pick up the PA system.
178 'Cause he was holding his radio and trying to drive and give the updates.
179
180 Q1: Mm-hm.

181
182 A: So I picked up the PA system and told the car to pull over.
183
184 Q1: Mm-hm.
185
186 A: So I announced it several times. I believe I said it two or three times?
187
188 Q: Mm-hm.
189
190 A: And then that's when we cornered 'em - they drew their guns. And then he
191 left again.
192
193 Q: That was back in the court?
194
195 A: Yes sir.
196
197 Q: Okay.
198
199 A: So I had forgotten about that. I'm sorry.
200
201 Q: That's okay.
202
203 A: Um, so he leaves from the court - we all turn around - I'm not sure like I said
204 how he got back out to that center corner.
205
206 Q: Intersection?
207
208 A: Right next to where it happened. Um, but I was kind of trying to hold the
209 laptop from swinging into Officer (Caruso) and into my lap myself. So I had
210 looked down to make sure that I had it adjusted and was holding it
211 appropriately and I had the mic back in place. And from what I recall after in
212 that time frame I remember looking up and seeing I have no idea what the
213 other officers that were there were...
214
215 Q: Mm-hm.
216
217 A: ...um, but I saw several patrol cars try to box in the vehicle and then I saw him
218 again trying to leave. And when I looked up I saw that Officer (Hall) was in
219 front of his car and I remember I screamed 'cause I - I genuinely thought that
220 he was crushed in between the patrol car and the other person's car.
221
222 Q: What do you mean crushed in between 'em? Like?
223
224 A: When I looked up it looked like he had been pinned in between the two cars.
225

226 Q: It was that close?
227
228 A: It - it - it was very close.
229
230 Q: Mm-hm.
231
232 A: Um, 'cause I had like I said I had been reaching down trying to make sure that
233 the PA mic was back in place and that the laptop wasn't flying around and
234 when I looked up I just remember I screamed a little 'cause I was terrified that
235 I had just watched him kill an officer and I remember Officer (Caruso) just
236 telling me - it's okay - stay calm - and then I heard - I believe six shots.
237
238 Q: Okay. And you know where those shots came from?
239
240 A: I think it had came from Officer (Hall).
241
242 Q: Did you see anybody shooting?
243
244 A: I saw Officer (Hall) with his gun out in front of the car.
245
246 Q: Okay. Did you see anything that would make you think that his gun was being
247 fired?
248
249 A: The way.
250
251 Q: And if you don't not a big thing. I'm just.
252
253 A: Just from my training in academy so - thus far.
254
255 Q: Mm-hm.
256
257 A: It didn't seem like - I did have tunnel vision so that could be part of it.
258
259 Q: Uh-huh.
260
261 A: But I saw him in front of the car with his weapon out and I believe he was
262 yelling something.
263
264 Q: Okay.
265
266 A: But like I said I had tunnel vision and I was scared that I had just watched him
267 die.
268
269 Q: And where was the officer with you? Was he still in his car?
270

271 A: He was.
272
273 Q: Okay.
274
275 A: At that point we were still going behind the car. The car was still continuing
276 through the intersection. And then we pulled up directly behind that car.
277
278 Q: Okay.
279
280 A: Um, I didn't see - I know that that car hit another car because I was in the
281 patrol vehicle that was parked behind the accident.
282
283 Q: Mm-hm.
284
285 A: Um, I didn't see any type of collision between the two. I did see all of the
286 officers very promptly pull him out and begin CPR. Um, they grabbed the
287 AED - they did pretty much everything that I was taught within my first
288 aid/CPR training.
289
290 Q: Mm-hm. When you saw Officer (Hall) with his gun out - did you see anybody
291 else, uh, outside of their patrol cars? Or was it just Officer (Hall) that was
292 outside the patrol car?
293
294 A: I couldn't tell you.
295
296 Q: Okay. Did you see any other...
297
298 A: I had tunnel vision I'm sorry.
299
300 Q: That's okay. No that's okay. Um, did you see any other officers with their
301 guns drawn?
302
303 A: At that time I don't - I don't remember.
304
305 Q: Okay.
306
307 A: The only time I remember other officers having their gun drawn before was
308 when we were in the cul-de-sac.
309
310 Q: Correct. Um, but you definitely saw Officer (Hall) with his gun out and he
311 was yelling something at the, um, we'll call the suspect vehicle?
312
313 A: Yes.
314
315 Q: Okay. But you're not sure what he was saying?

316
317 A: No.
318
319 Q: Okay. And you heard what you think were probably about six shots?
320
321 A: Yes sir.
322
323 Q: Okay. Um, car continued forward then and then collided?
324
325 A: Um, I didn't see it actually hit the other car. But like I said I - can only infer
326 because we pulled up directly behind them.
327
328 Q: Okay.
329
330 A: Um, and that was pretty much all I saw.
331
332 Q: Um, what did this person look like that was in the, uh, suspect vehicle?
333
334 A: He was a male - Asian adult. He had black glasses. Um, when we came out
335 one of the times and we were going down LaFayette - before we got to that
336 second cul-de-sac.
337
338 Q: Mm-hm.
339
340 A: Where they drew their guns? Um, we went under and underpass that I forgot
341 about. And he I'm pretty sure threw something out of his window. 'Cause as
342 we were driving I saw like a white powdery substance and it kind of made a
343 poof.
344
345 Q: Okay.
346
347 A: And so I pointed that out to, um, Officer (Caruso).
348
349 Q: Okay. And - and you say you - you saw it come from the suspect vehicle?
350
351 A: Yes.
352
353 Q: You - did you see him actually make a motion like throwing something out?
354
355 A: I believe so.
356
357 Q: Okay. Um, and you say you saw white powder or poof. Was it?
358
359 A: It's.
360

361 Q: Was there a container? Was it in anything?
362
363 A: I don't know. I just saw a little.
364
365 Q: Okay.
366
367 A: Like when you see dust kick up.
368
369 Q: Mm-hm.
370
371 A: Is what it looked like.
372
373 Q: Okay. Okay. And that was prior to the cul-de-sac?
374
375 A: That was prior to the cul-de-sac. Yes sir.
376
377 Q: And by a - by an overpass you say? Something like?
378
379 A: It was right under and overpass.
380
381 Q: Okay.
382
383 A: On LaFayette.
384
385 Q: Okay.
386
387 A: Right after Willow. When we were heading down the other direction.
388
389 Q: Okay. Um, after the sh- you heard the shots fired. What did the officers do?
390 You say did - did they all render aid at that point? To the person?
391
392 A: Immediately.
393
394 Q: Okay.
395
396 A: I'm - was kind of in shock as to how fast they were all over there.
397
398 Q: Okay.
399
400 A: I know that Officer (Caruso) immediately went up and provided cover for the
401 other officers. With his gun drawn.
402
403 Q: Mm-hm.
404
405 A: For officer safety purposes. Um, and they immediately pulled him out. They

406 cut his shirt. They were putting pressure on the wounds. They were telling
407 him to hang on and that help was coming.
408
409 Q: Okay where were you at that point?
410
411 A: I was in the patrol vehicle looking at the suspect vehicle from right here.
412
413 Q: Okay.
414
415 A: So the - suspect vehicle was crashed here. And our patrol car was right there
416 and I was sitting right here. And they were doing CPR/first aid right here.
417
418 Q: And did you have a clear view of that? From where you were sitting?
419
420 A: Um, if I kind of sat up.
421
422 Q: Okay.
423
424 A: 'Cause, um, the seat was kind of far down.
425
426 Q: Mm-hm.
427
428 A: So I could see for the most part but.
429
430 Q: Okay. Um, could you see if the person was conscious or not?
431
432 A: I couldn't tell.
433
434 Q: Okay.
435
436 A: I really couldn't tell.
437
438 Q: Um, was there anything being said by the suspect at any time that you can
439 remember?
440
441 A: I didn't hear anything.
442
443 Q: Okay.
444
445 A: I didn't see anything.
446
447 Q: Okay. Um, how long after they pulled him out and started performing life
448 saving measures do you think it was before the first, uh, like, ambulance or
449 fire truck got on scene? I know this is just an estimate.
450

451 A: I don't have a - I wouldn't have a clear estimate. It felt really quick.
452
453 Q: Okay.
454
455 A: But it also felt like a very long time.
456
457 Q: Okay.
458
459 A: So I couldn't tell you.
460
461 Q: Not a problem. Okay not a problem.
462
463 A: I feel like the whole thing happened extremely quick and I don't know.
464
465 Q: Okay. And then you just remained in the patrol car. Is that correct?
466
467 A: Yes sir.
468
469 Q: Okay. (Nelly)?
470
471 Q1: Um, just a few, uh, questions. Uh, when you said that, um, Officer (Hall) was
472 standing by the vehicle and, um, the vehicle was coming towards him. You
473 thought he got hit. Do you remember where, uh, where he was standing by the
474 vehicle? How close it was?
475
476 A: From well.
477
478 Q1: So let's say this is the vehicle to the front and to the back.
479
480 A: Okay so from what we've trained on it looked like there were two patrol cars
481 like this.
482
483 Q1: Mm-hm.
484
485 A: And the suspect vehicle was coming like this and had he been - almost in
486 between the two patrol cars.
487
488 Q: And that - and the way you're indicating that was on the passenger side. Is
489 that correct?
490
491 A: I believe it was the passenger side. So he was on the passenger side of the
492 suspect vehicle. And I know that.
493
494 Q1: Okay.
495

496 A: So he would've been on I guess he would have been, yeah, on the passenger
497 side.
498
499 Q1: So the vehicle...
500
501 Q: Of his patrol car.
502
503 Q1: ...that - the two vehicles - patrol vehicles were right here? Suspect vehicle
504 went down and tried to go in between the two vehicles?
505
506 A: Yes.
507
508 Q1: Okay. Um, almost hitting Officer (Hall)?
509
510 A: Yes.
511
512 Q1: Okay. Um, also, uh, and you didn't hear what the - what Officer (Hall) was
513 yelling correct?
514
515 A: No 'cause I screamed.
516
517 Q1: Okay. And did you see the officers render aid all the way through until, uh,
518 AMR Fire got there?
519
520 A: Yes.
521
522 Q1: Okay.
523
524 A: Yeah.
525
526 Q1: Okay how long have you been in the academy?
527
528 A: I just finished Week 17.
529
530 Q1: Okay. That's all I have.
531
532 Q: Um, well it - you - you said just the life-saving measures - they were - they cut
533 the shirt - they were applying pressure to areas that looked like - was there
534 CPR being done?
535
536 A: Yes.
537
538 Q: Okay.
539
540 A: So I know while they were trying to, um, when I specifically leaned out the

541 first time to look over to see while I was trying to process what was going on,
542 um, Officer (Caruso) had actually applied pressure to a center chest wound.
543 And then while he was doing that I saw another officer come over and start
544 doing chest compressions. Then one officer went to go get a, um, a mask.
545
546 Q: Mm-hm.
547
548 A: And then while they were doing that Officer (Hall) ran past on my side of the
549 car and then came right back just a second later on the driver's side carrying
550 an AED announcing to the team that he had the AED.
551
552 Q: Okay.
553
554 Q1: Okay.
555
556 Q: All right. I think - um, how - how long did it take from - when you guys first
557 pulled up to that car to the end how much time do you think went by?
558
559 A: Maybe minutes?
560
561 Q: Okay.
562
563 A: Like five minutes.
564
565 Q: Well when the car was driving was he taking off fast on these occasions?
566
567 A: Um, I don't know if I would say fast. But he was - he was watching the
568 officers and you could see him watching the officers so he would stop. Wait
569 for the officers to get out of the car. And then try to be sneaky and go in
570 between the cars or go around the cars and.
571
572 Q: Did the officers turn on their lights or sirens at any time?
573
574 A: Yes.
575
576 Q: Okay. It - was that from the initial contact when he first was seen in the car?
577 Or at what point?
578
579 A: The initial contact was we came up - saw him in the vehicle - and the officers
580 tried to stop him before he drove away. They were already out of their car.
581 And they were like waving at him like sir stop stop stop. And he looked at the
582 officers and continued driving.
583
584 Q: Okay.
585

586 A: So that's when they turned around and started following him lights and sirens.
587
588 Q: Okay. So from the - from the very beginning basically.
589
590 A: From the very beginning.
591
592 Q: Okay. And was the lights and sirens, uh, continuous the whole time they were
593 going after him?
594
595 A: I don't know because like I said we kind of went separate ways for a while.
596
597 Q: Okay what about the car that you were in?
598
599 A: We - I don't know if our lights were activated when we went down Willow.
600
601 Q: Because you weren't behind him at that point is that correct?
602
603 A: Yeah we weren't behind him so I don't think our lights were on when we
604 went down Willow. I'm pretty sure he got to the stop sign - he turned his off.
605 Um, we turned down Willow because it - we had heard over the radio that that
606 wasn't the suspect vehicle and they think that he had taken another turn. When
607 we didn't find him down Willow 'cause it's a dead end we came back up and
608 that's when we heard the - LaFayette and I believe that's when he reactivated
609 his lights and sirens.
610
611 Q: Okay so in - in that cul-de-sac area that - lights and sirens were on - that - at
612 that - that point also?
613
614 A: Yes. And that was when he had me announce to pull over.
615
616 Q: And then when the, uh, powdery substance was seen were - were the lights
617 and sirens on then?
618
619 A: Yes.
620
621 Q: Okay. Okay. Anything else (Nelly)?
622
623 Q1: No I think we're good.
624
625 Q: Okay it's 3:15 and we'll complete the interview.
626
627

628 The transcript has been reviewed with the audio recording submitted and it is an accurate
629 transcription.

630 Signed _____

INTERVIEW WITH DEP. MAK

Q=Det. Morris

Q1=Inspector Solzman

A=Deputy Maka

A1=Michael Rains

1
2
3
4
5
6
7
8
9
10
11
12
13
14 Q: Okay. This is, uh, Detective Morris with the sheriff's office. Today is
15 November 3. Um, I'm here with - um, can you say your whole name, sir?

16
17 A: Oh, Sonasi Siale Uvea Maka.

18
19 Q: Can you spell that out for me?

20
21 A: S-O-N-A-S-I, middle name is Siale. It's S-I-A-L-E, Uvea, U-V-E-A, last
22 name Maka, M-A-K-A.

23
24 Q: And also, here is Inspector?

25
26 Q1: Solzman with the Contra Costa District Attorney's office.

27
28 Q: And, um, Maka's attorney?

29
30 A1: Yes, good evening. My name is (Michael) Rains, R-A-I-N-S, and I'm
31 representing Officer Maka.

32
33 Q: And Maka, you're here to talk to us in your free will, um, voluntarily, correct?

34
35 A: Yes.

36
37 Q: Okay. Uh, Maka, can you, um, tell us your ID number?

38
39 A: Uh, 82797.

40
41 Q: And how long have you been employed with the sheriff's office?

42
43 A: Two years, three months.

44
45 Q: Okay, all right. And what year did you, uh, graduate the police academy?

46
47 A: Uh, July 2016.
48
49 Q: Okay. And do you have a cell phone number?
50
51 A: Yes, [REDACTED]
52
53 Q: Okay. And since, uh, those two years, uh, where did you work?
54
55 A: Uh, I trained - when I got out of the police academy, I trained at MDF, uh, and
56 right after training, I got forced to West County. Uh, I worked, uh, six months
57 at West County, and July - I mean January 2017, uh - uh, during shift change I
58 applied to come - go - go to MDF, and I was at MDF gold team, weekend
59 team day for a year. Um, after that year on - on the weekend days, I worked
60 MDF purple, which is swing shift Monday through Thursday. And then I got
61 on this patrol cycle...
62
63 Q: Okay.
64
65 A: ...to - to come out to the street.
66
67 Q: Okay. Are you assigned to patrol right now?
68
69 A: Yes. Currently I'm assigned to patrol, and I'm currently in patrol training.
70
71 Q: Okay.
72
73 A: Uh, shadow phase, and tomorrow will be my last day on shadow.
74
75 Q: On shadow?
76
77 A: And Monday I'm expected to start, uh, as a solo beat deputy Monday swing
78 shift.
79
80 Q: Okay.
81
82 Q1: Congrats.
83
84 Q: Yeah.
85
86 A: Thank you.
87
88 Q: Um, and after- after your police academy, um, you've done your, um, officer
89 training classes, um, for -- what classes do you normally take for officer
90 training classes?

91
92 A: Uh...
93
94 Q: Like - like advanced officer training?
95
96 A: Uh, advanced officer training we - we take, um, is it driving - driving courses
97 that we have, uh, firearms, just a retraining on - on - on shooting and
98 qualifying, um, defensive tactics classes, and CPR, first-aid - I believe they
99 call it first-aid - and I believe that's it.
100
101 Q: Okay. Um, and today what time did you start your shift?
102
103 A: Today I started at 6:00 a.m.
104
105 Q: 6:00 a.m. And you - were you solo, um, when you started your shift, or were
106 you paired up with somebody else?
107
108 A: No, I was actually paired with my FTO, uh, (Nick Muller), and he was the
109 passenger in today's shift.
110
111 Q: Okay.
112
113 A: And I - I drove all day.
114
115 Q: Okay. Uh, what time did you start? Uh, after you had your briefing, what time
116 did you start um, to get into your patrol car and start the day?
117
118 A: Uh, I got into the vehicle, uh, maybe 6:20 - um, uh, about 6:30, because I went
119 down to do a - there's a farmer's market today, on Saturdays, and so if there's
120 vehicles parked in the farmer's market area, there's a sign that says no
121 parking...
122
123 Q: Mm-hm.
124
125 A: ...from 3:00 a.m. to I wanna say 2:00 pm on Saturdays, because they have the
126 farmer's market, and I had to tow a vehicle from - well, it was left there
127 overnight and didn't move it when the farmer's market started.
128
129 Q: Okay, so around 6:30 - 6:30.
130
131 A: Yeah, at six - 6:40 I actually arrived there to tow that vehicle.
132
133 Q: And when you - um, prior to your shift, you made sure that your vehicle was
134 equipped with, uh, all its bells and whistles.
135

136 A: With - with all the - yes, the...
 137
 138 Q: Can you describe what - how you would check that equipment?
 139
 140 A: Uh, when I check the equipment, I turn on - there's - there's three settings.
 141 That's where you flip on the, uh, the lights.
 142
 143 Q: Mm-hm.
 144
 145 A: Uh, you go to one. It's the back lights. I walk around the vehicle every shift, I
 146 mean, every time I check it. I flip it to one to make sure the back lights is
 147 working and the lights in - all the way in the back of the vehicle, um, are
 148 flashing red and blue.
 149
 150 Q: Mm-hm.
 151
 152 A: Um, flip it to two. Walk around the vehicle, make sure that the front lights are
 153 working and - and the rear lights are working. Then I flip it to three and make
 154 sure that all the lights are working, the - the lights in the front. The headlights
 155 go on and off.
 156
 157 Q: Mm-hm.
 158
 159 A: Make sure the top lights are all working. Uh, I do that every shift. And then I
 160 also check to make sure that the sirens are working. Press the wail button on
 161 and off.
 162
 163 Q: Okay.
 164
 165 A: The siren button on and off and the horn on and off.
 166
 167 Q: Okay, and were you in a fully marked car today?
 168
 169 A: Yes.
 170
 171 Q: Okay. Can you describe the car for me?
 172
 173 A: Uh, the gu- the car is fully marked on both sides. It says, "Danville Police."
 174 Um, it says, "Danville Police" in a big old, uh - uh, logo on there, uh, black
 175 and white, and it has a cage in, uh, in the back.
 176
 177 Q: Okay. And your, uh, eh, your attire, what were you wearing today?
 178
 179 A: I was wearing the class B one- uh - uh, uniform for the sheriff's office. Um, it
 180 has patches on both sides of the arms. Um, I had a star on my left chest. Uh,

181 yeah, that's pretty much it.
182
183 Q: Full duty belt?
184
185 A: Full duty belt, yes.
186
187 Q: Okay. Um, when you started your shift up until the incident, did you guys
188 have any calls for service or what - what - what did you do? Did you pull any
189 cars over or anything like that?
190
191 A: Yes. Uh, let's see. I did the tow. Right after the tow, uh, out at the (Lunardi)'s,
192 uh - uh, parking lot for the farmer's market. Um, I believe I went down and
193 took a report at the Danville Oaks Place - 18 Danville Oaks Place. Uh, some
194 lady had - had, uh, packages stolen from her, uh, porch.
195
196 Q: Okay.
197
198 A: I took the report on that. Um, where'd we go after that? Came here. We did
199 the, uh - uh, I - I typed that report. Uh, (Muller) had some stuff that he had to
200 type, also.
201
202 Q: Mm-hm.
203
204 A: Um, when he finished typing and I finished typing, also, we actually went out,
205 was driving around. I pulled over two vehicles, uh, one vehicle for expired
206 registration. That person showed that they paid the registration, so I - I let
207 them go.
208
209 Q: Mm-hm.
210
211 A: And then I pulled over another vehicle, maybe approximately ten minutes
212 after that, my first vehicle. Um, same thing, expired registration. Uh, I think I
213 was on that s- that traffic stop for approximately 30 minutes.
214
215 Q: Okay.
216
217 A: Um, I wrote a citation for the driver of that vehicle. And then after that - that's
218 when - that - that was it.
219
220 Q: Okay. And about what time do you remember getting called to this incident?
221
222 A: Um, about 11:10 - 11:10ish.
223
224 Q: How did you hear the call come out?
225

226 A: So right when I finished my traffic stop...
227
228 Q: Mm-hm.
229
230 A: ...we were driving on - is it Camino Tas - on Camino Tas towards Danville
231 Boulevard.
232
233 Q: Mm-hm.
234
235 A: And, uh, and, uh, radio traffic comes out through dispatch saying that there's a
236 suspicious male subject, Asian, wearing glasses.
237
238 Q: Mm-hm.
239
240 A: And, uh, he was knocking on doors at - on Laurel Drive. It gave the, uh,
241 address, but I don't remember the address.
242
243 Q: Okay.
244
245 A: Um, they dispatched it to me, 21X1 is what I was today.
246
247 Q: Mm-hm.
248
249 A: And, um, I tell them that I'm - I'm - I'm in route. As I'm driving towards - uh,
250 I have an idea where Laurel Road is. I enter it into my GPS.
251
252 Q: Mm-hm.
253
254 A: And I'm driving there, and so we get onto Laurel drive, and I'm driving down
255 Laurel Drive towards Hartz Way, and my GPS tells me that I'm getting close
256 to the house, so I immediately park and - and, uh, park to the right as I'm
257 driving towards Hartz Way.
258
259 Q: Mm-hm.
260
261 A: As I park on the right side, I - I could see a Asian male jumping into a silver
262 vehicle.
263
264 Q: Okay.
265
266 A: He was approximately 20 yards away parked on the left - my left at that time.
267
268 Q: Mm-hm - mm-hm.
269
270 A: But his vehicle was facing me. He jumps into the driver's seat and I quickly

271 look into the, uh - uh, MDC...

272

273 Q: Mm-hm.

274

275 A: ...eh, to get a look at the description again - Asian male won- wearing glasses.

276 So as he's driving towards me I jump out the vehicle and try to stop him. I'm

277 standing in the street.

278

279 Q: Okay.

280

281 A: I wave my hands, "Hey - hey." I don't think I told him to stop at that time, but

282 I'm just waving at him, "Hey - hey." And, um, he drives by. He doesn't make

283 eye contact with me, but he drives by, and he just goes like this and drives

284 right past me and, uh, (Caruso).

285

286 Q: Mm-hm.

287

288 A: Um, me and (Muller) jump into the vehicle, make a U-turn, and we're driving

289 towards, uh, is it Brookside, on Laurel Drive. Uh, I - I thought I seen, uh, the

290 vehicle make a left, because Laurel - Laurel actually turns - curves left, so as

291 I'm - as I'm driving towards Laurel and it curves left, uh, I thought I saw the

292 vehicle, so I pull up right behind it, but it wasn't the vehicle. It was a very

293 clean vehicle. It didn't look very dirty, and it was - when the guy drove by me,

294 he had cardboards inside...

295

296 Q: Mm-hm.

297

298 A: ...the vehicle, and you can see these big old cardboard.

299

300 Q: Mm-hm.

301

302 A: So that wasn't the vehicle. (Muller) gets on the radio...

303

304 Q: Mm-hm.

305

306 A: ...and tells, uh, (Caruso) to make left onto, uh, a street - I don't remember the

307 street - but tell - told him to make a left on the street and - and drive around

308 that area to see if he turned down that way. So I'm driving on Laurel,

309 continuing on Laurel and make a - Laurel ends, and it makes a right onto

310 Brookside.

311

312 Q: Mm-hm.

313

314 A: So as I'm driving onto Brookside and we're looking for the vehicle, I get to

315 Brookside and Princeton.

316
317 Q: Mm-hm.
318
319 A: Um, Princeton - as I'm driving past the intersection of Princeton, I can see the
320 vehicle parking, like pulling into, uh - uh, parking and - and I stop. I back up. I
321 make a right onto Princeton...
322
323 Q: Mm-hm.
324
325 A: And I drive down towards the - the - the vehicle, and I park on the right side.
326 And again about - approximately 20 yards away from me on the other side of
327 the, uh - uh, is where I see the vehicle and - and - and the guy still sitting in
328 the vehicle.
329
330 Q: Mm-hm.
331
332 A: As soon as I park and get out of the vehicle, he comes driving - gets out the
333 parking spot and comes driving towards me. And this time I'm standing in the
334 middle street - after I get out of the car, stand in the middle of the street as
335 he's coming towards me, and I'm telling him, I say, "Hey, stop."
336
337 Q: Mm-hm.
338
339 A: And he's not making eye contact with me, just still looking forward driving.
340 And this time he's driving towards Brookside.
341
342 Q: Mm-hm.
343
344 A: And as I turn around, he makes a left onto Brookside. Um, I jump into the
345 vehicle, make a U-turn, go onto Brookside - make a left onto Brookside, also,
346 and I'm following. As we get onto Laurel Drive, I can see his vehicle make a
347 right onto the first street on Laurel. He makes a right on there, and - and he - I
348 can see the back of his vehicle, so, uh - uh, I turn onto the same street he's -
349 he's turning on. By that time the - the street curves left. He - he disappears. I
350 don't see him, so I - I catch up to him, and then as soon as I can catch up to
351 him on - on that street, I flip my lights on all the way.
352
353 Q: Mm-hm.
354
355 A: Um, he pulls over right before Laurel...
356
357 Q: Mm-hm.
358
359 A: ...on that same street, and at the stop sign and he stops. So I put my - the car in
360 park. I get out of the vehicle. (Muller) gets out of the vehicle, and before I can

361 even take my right foot out of the vehicle as I'm stepping out of the driver's
362 side, he - he takes off. He accelerates and make a right. Um, me and (Muller)
363 jump back in the vehicle. I get into the vehicle, drive off, and before I can
364 make a right, (Caruso) comes by on Laurel heading towards Hartz Way and
365 gets behind his vehicle.

366
367 Q: Mm-hm.

368
369 A: (Caruso) also had his lights on, um, and I'm following right behind. Um, we
370 go towards Hartz Way. Uh, we follow him towards Hartz Way. He makes a
371 right onto Hartz Way. (Caruso) is still right behind him, and he - the - the
372 suspect vehicle makes a left into I believe it's an apartment complex, uh - uh,
373 into a driveway, and (Caruso) makes a left into the driveway and like I - I
374 believe he blocks him off so he can go - so he can't go further into the
375 driveway. And then the way I parked my vehicle is I - like kind of like, um,
376 I'm T-boning him, but I wasn't. I didn't T-bone him. I - I stop right behind
377 like his back tire on the driver's side, and he backs out.

378
379 Q: Mm-hm.

380
381 A: Uh, (Muller) jumps out of the vehicle. I put the vehicle in park, and I jump
382 out, also. (Muller) - (Muller) runs over to the driver's side and is yelling at
383 him.

384
385 Q: Mm-hm.

386
387 A: "Get out of the vehicle - get out of the vehicle. Um, stop, get out of the
388 vehicle." (Caruso) is on the passenger side yelling the same thing.

389
390 Q: Mm-hm.

391
392 A: So he just keeps backing out - backing out, and he - he backs out and faces
393 Hartz - no Front Street. He backs out, and he faces Front Street.

394
395 Q: Mm-hm.

396
397 A: Um, by that time, before he could even drive forward towards Front Street,
398 I'm yelling at, uh - uh, (Caruso), because (Caruso) was standing like directly
399 in front of the vehicle.

400
401 Q: Mm-hm.

402
403 A: I yell at (Caruso) to step to the left. (Caruso) steps to the left, and as soon as
404 he steps to the left, that's when he - he takes off towards - uh, drive towards,
405 uh, Front Street. Um, he drives past - past us, and me and (Muller) jump into

406 the vehicle, and I turn around, get on Front Street, uh - uh, make a right onto
407 Front Street, because I - I can see him driving towards Diablo.
408
409 Q: Mm-hm.
410
411 A: When he's driving - when I make my right, also, and I'm - I'm going down
412 the street, trying to catch up to him, um, we get towards Diablo and I see
413 (Hall)'s vehicle pulling into, uh - uh, Front Street facing us...
414
415 Q: Mm-hm.
416
417 A: ...and he parks like in the middle of the, uh, of the street, like kinda blocking
418 the - both directions.
419
420 Q: Okay.
421
422 A: And he stops, and the vehicle goes - tries to go around the - (Hall)'s vehicle
423 and Sergeant (Martin)'s vehicle comes and - and park - he parks it right next
424 to (Hall) to - to the left side from - from my side, on the left of ((Hall))'s
425 vehicle...
426
427 Q: Mm-hm.
428
429 A: ...so and - and left a gap in between (Hall)'s vehicle and Sergeant (Martin)'s
430 vehicle.
431
432 Q: Okay.
433
434 A: And so I pull up right behind it thinking that I'm gonna block the vehicle. And
435 so he just - the - the suspect vehicle decides that he's gonna go in between the
436 two vehicles, so he's driving towards there, and I see (Hall) standing behind
437 his vehicle, and he has his gun out, and he's telling him to, "Stop - stop."
438
439 Q: Mm-hm.
440
441 A: And he's inching - inching, so then I - when he starts inching, I put the vehicle
442 in park, and I - before I can jump out, I'm turning. I'm jumping out, and then I
443 - I heard like seven shots - about seven shots I can hear.
444
445 Q: Okay.
446
447 A: And then so I look up, and the vehicle is now driving away from in between
448 the vehicles and it's - it's on Front Street - I mean on Diablo Road. I put the
449 vehicle in drive - I jump back in the vehicle and put the vehicle in drive to see
450 if I can fit in between, and - and then I heard someone say T-C over the radio,

451 so I put the vehicle in - in park, jump out, and I run over to the, uh, suspect
452 vehicle. From then, um, as I got there, I believe somebody - I don't know who
453 it was, but someone broke the driver's side window and opened the door, and
454 I - I reach in. I think I was gonna grab him, but I saw he had his seatbelt on, so
455 (Muller) - I was gonna - I was gonna take his seatbelt off, but I decided I was
456 just gonna cut it off.

457
458 Q: Mm-hm.

459
460 A: So I grab my knife to try to cut it off, but (Muller) at that time already grabbed
461 the seatbelt, unbuckled it. So I grab the - grab the, uh, the suspect from the,
462 uh, the back of his sweatshirt, and I picked him up, and (Muller) grabbed the
463 legs, and we drug him out right there, right next to the vehicle. Um, (Muller)
464 asked for me to get his medical kit out of our vehicle.

465
466 Q: Mm-hm.

467
468 A: Um, I ran back to the vehicle and got the medical kit, came back to - to where
469 they were with the suspect. And when I got - when I was coming back, I saw
470 (Muller) was cutting his sweatshirt and shirt off, and I saw (Caruso) holding
471 his hand, covering up - covering up a wound that was on - on the guy's chest.
472 Um, as soon as they took the shirt off, (Hall) put the, uh, AED - some AED
473 pads on the guy's chest.

474
475 Q: Mm-hm.

476
477 A: He let the AED do its thing, and then it said, um, it was shocking him.

478
479 Q: Mm-hm.

480
481 A: So everybody stopped touch - touching him, and then it said, "CPR, start
482 CPR." Right when it said start CPR, I already had gloves on...

483
484 Q: Mm-hm.

485
486 A: ...and I started doing chest compressions. Uh, maybe about the second or third
487 round of my chest compressions, uh, fire showed up.

488
489 Q: Okay.

490
491 A: Fire showed up, was like just keep doing what you're doing, and we'll let you
492 know when - when we'll take over.

493
494 Q: Mm-hm.

495

496 A: So I keep doing the chest compressions, and (Caruso) was actually doing the
497 breaths.
498
499 Q: Okay.
500
501 A: And fire says that they're gonna be taking over after I don't know how many
502 times I did the chest compressions. And right when they said they were taking
503 over, I stopped doing chest compressions, and they immediately moved him
504 onto their backboard, put him on the ambulance, and - and they took off. Um,
505 right after that I - I went to go talk to the, uh, the lady who was driving the
506 SUV who - who got hit.
507
508 Q: Mm-hm.
509
510 A: And, uh, I got her off to the sidewalk. I was talking with her until fire showed
511 up to talk with her. Once they - they - they took over with her, I took pictures
512 of the scene...
513
514 Q: Mm-hm.
515
516 A: ...the vehicles, and then I started a log.
517
518 Q: Okay. That's a pretty good description, uh, detail. Um, do you remember, um,
519 do you remember getting a description of the vehicle on the call?
520
521 A: No.
522
523 Q: No?
524
525 A: No.
526
527 Q: Okay, when you saw the suspect getting into the car, do you remember seeing
528 what the description of the car looked like?
529
530 A: A silver vehicle. Fr- fr- from what I saw, it was a silver vehicle. It was pretty
531 dirty.
532
533 Q: Okay.
534
535 A: Um, uh, like a lot of dust was just on it. A lot of dust was on it, and like you
536 can see cardboard boxes inside like.
537
538 Q: Okay. Do you remember the make or model of it?
539
540 A: I - I do not.

541
542 Q: Okay. Um, and did you see how many people were in the car?
543
544 A: Yes, one.
545
546 Q: Just one, okay. Um, any other description of the suspect besides Asian male
547 with glasses? Did you see anything?
548
549 A: Um, so when he - when he drove by, um, it - it said he had a gray shirt, but -
550 but when he - when he was driving by you - I - I could see like gray
551 sweatshirt. I - I didn't really see the pants. I - I don't remember what it said
552 about the pants, but as he was driving by, I saw the gray, and he had the
553 glasses. It was like black glasses. They were pretty dark.
554
555 Q: The same description that - that dis- dispatch put out in around the same
556 vicinity where - where it was put out?
557
558 A: Yes.
559
560 Q: Okay. Um, and when, um, he started - when you guys try to do the 95 on this,
561 um, this guy...
562
563 A: Mm-hm.
564
565 Q: ...and he fled...
566
567 A: Yes.
568
569 Q: ...you guys were on pursuit at that point?
570
571 A: Well, uh, at the - before the 95 or are you talking about when - when the 95
572 started?
573
574 Q: Yeah, when you guys - when you guys try to, um, pull him over and then...
575
576 A: Yes.
577
578 Q: ...he - he left.
579
580 A: Yes.
581
582 Q: Is that when you guys initially started the pursuit on - on him?
583
584 A: Yes, that - that - that's when it initially started, because - because we even
585 called the radio traffic and everything.

586
587 Q: Mm-hm.
588
589 A: And 95, and then he was pulling over.
590
591 Q: Okay.
592
593 A: And when he pulled over, I pulled up right behind him, put it in park, and he
594 just - and as we got out of the vehicle, that's when he just took off.
595
596 Q: Okay. Did you guys have a visual of the car the whole time when you guys
597 were following him?
598
599 A: The - with the 90 - after the 95, yes.
600
601 Q: Yeah. Okay. Um, eh, any vile- violations that you guys saw when - uh, that he
602 was doing when he was driving?
603
604 A: Um, so he - he ran a stop sign, yes. Um...
605
606 Q: Mm-hm.
607
608 A: ..., yeah, even the stop sign that's on Hartz Way, he ran that stop sign...
609
610 Q: Okay.
611
612 A: ...the U-turn, uh - uh, failing to yield to us when we were clearly trying to pull
613 him over...
614
615 Q: Okay.
616
617 A: ...in a marked vehicle, lights and sirens. Um, and - and - oh, and he was
618 definitely speeding on, uh, Front - on Front Street.
619
620 Q: How long - how fast do you think he was going?
621
622 A: Uh, I - I would say he was going at least 40 miles per hour on Front Street.
623
624 Q: On Front Street?
625
626 A: Yeah.
627
628 Q: Is that the - is that when - before - before the shooting happened?
629
630 A: Yes, right before the shooting...

631
632 Q: Okay.
633
634 A: ...and then right before he slowed down, because - because (Hall)'s vehicle
635 came and slowed him down.
636
637 Q: Uh, did you, um, based on your training and experience did you believe that
638 his - he had a disregard for the safety of others while - while he was driving?
639
640 A: Yes.
641
642 Q: Okay. Um, now when you guys came up to Front Street and you saw (Hall)'s
643 car, um, drive up from Diablo, make a left on Front Street where he kinda
644 blocked him, um, and Sergeant (Martin) also on the other side, how far away
645 was your car from (Hall)'s car?
646
647 A: Um, approximately 15 feet.
648
649 Q: Okay. Did you have a good visual of what (Hall) was doing?
650
651 A: Yes.
652
653 Q: Okay.
654
655 A: So - so wha- when I actually saw (Hall), (Hall) was actually trying to - trying
656 to back out...
657
658 Q: Mm-hm.
659
660 A: ...and the vehicle was like inching forward - inching forward.
661
662 Q: Did you see the car going towards (Hall)...
663
664 A: Yes.
665
666 Q: ...in a - in a high rate of speed or - or just trying to get away?
667
668 A: Eh, I - I seen - I seen him inching towards - towards where (Hall) was
669 standing.
670
671 Q: Okay.
672
673 A: And (Hall) kept backing out - backing out.
674
675 Q: Okay.

676
677 A: And by that time, that's when I decided to put it into - to park to jump out.
678
679 Q: Okay.
680
681 A: But by the time I did all that, like I heard the shots.
682
683 Q: What was (Hall) saying? Do you remember what he was saying?
684
685 A: I do not.
686
687 Q: Okay. And you said you heard seven shots...
688
689 A: Yes.
690
691 Q: ...being fired, and that's from (Hall)'s weapon - firearm?
692
693 A: Yes.
694
695 Q: Did you see anybody else shooting towards the subs - the subject?
696
697 A: No.
698
699 Q: Did you, uh, deploy any of your weapons during the incident?
700
701 A: Uh, oh I - I - I drew my firearm when we were on - is Hartz Way.
702
703 Q: Okay.
704
705 A: When we were on Hartz Way and, uh - uh, when I parked and got out of the
706 vehicle, I drew my firearm, um, but I - I never raised my firearm, because
707 both my partners were on the driver's side and passenger side.
708
709 Q: Okay.
710
711 A: And by the time he - he was driving away...
712
713 Q: Mm-hm.
714
715 A: ...I just put my firearm away and then jump back into the vehicle.
716
717 Q: Okay.
718
719 A: And then that - that was the only time.
720

721 Q: Okay. So from your - your knowledge during the shooting, (Hall) was the
722 only one shooting at the subject, nobody else?
723
724 A: Yes. I - I only saw (Hall) out there during that time, and he had his firearm
725 out.
726
727 Q: Okay. Um, and you described how as soon as you guys came up to the subject
728 when he, uh, rested on Diablo, when he, um, wrecked, um, you guys started to
729 render aid and CPR as soon as...
730
731 A: Yes.
732
733 Q: ...you pulled him out, and that was throughout until AMR got there, correct?
734
735 A: Yes.
736
737 Q: Okay. Um, do you have anything else?
738
739 Q1: Just really quick, um, you said initially, uh, (Hall) was towards the rear of his
740 patrol car, and this car was inching towards him. Was - was (Hall) in front of
741 the suspect vehicle as it was inching towards him?
742
743 A: Uh, initially - initially when I was - when I was pulling up, (Hall) - (Hall) was
744 like on the right side of his vehicle, like standing there with his gun.
745
746 Q1: The right side being the passenger side?
747
748 A: Yeah, on the passenger side, and - and the car was inching towards him. And
749 then he - he jumped back or he was - he was moving out of the way, and the
750 car just kept turning and turning towards him, and - and then by that time I
751 believe (Hall) was like right at the back of his vehicle but like still in front of
752 the vehicle. I want to say - I want to say his vee- he was like - this was his
753 vehicle. He was like standing right next to his vehicle.
754
755 Q1: Okay, just off to the side of it a little bit?
756
757 A: And yeah, just off to the side, and then the - the vehicle just kept turning
758 towards him.
759
760 Q1: Towards him?
761
762 A: Yeah, and then I just put the vehicle in the park, and I jumped out.
763
764 Q1: So that - that path...
765

766 A: Or tried to jump out.
767
768 Q1: That path of the suspect vehicle, if it kept on going where (Hall) was standing,
769 in your opinion would that have hit him?
770
771 A: Yes.
772
773 Q1: Okay. It - it was going...
774
775 A: I - I - didn't even - I - I didn't even know if - if - if it was - if it hit the vehicle,
776 either, because it was such a small gap, and I was like how did...
777
778 Q1: Sure, and - and - and not even that question, you know, is more importantly
779 the direction the car was going in the direction of (Hall).
780
781 A: Yes.
782
783 Q1: Okay. That's it. Mike, anything?
784
785 A1: Oh, um, maybe just for the record. At some point in time after you arrived at
786 the scene of the initial call, uh, were you wearing a body camera by any
787 chance?
788
789 A: Yes.
790
791 A1: Did you activate that camera at some time?
792
793 A: Yes.
794
795 A1: Do you know when you activated it?
796
797 A: The - the body camera activates immediately once you press the, uh - uh - uh,
798 the third setting on the lights.
799
800 A1: Okay.
801
802 A: So - so from 1195, uh - uh, when I - when I initiated it, the body camera
803 activated.
804
805 A1: Okay. And - and for the record, you have not seen that, uh, camera evidence
806 before giving your statement today?
807
808 A: I have not.
809
810 A1: Your statement is based on your memory about what occurred.

811

812 A: Yes.

813

814 A1: Um, okay. And for the record, other than discussing this event with, um,
815 Attorney Sarah Burdick who is from my office and with me before this
816 interview, have you talked to anything else about what occurred other than
817 Ms. Burdick and myself?

818

819 A: I have not.

820

821 A1: All right. Thank you, I think that's all the questions I have.

822

823 Q1: I think that's it for me.

824

825 Q: That's it.

826

827 Q1: Okay.

828

829

830 The transcript has been reviewed with the audio recording submitted and it is an accurate
831 transcription.

832

Signed

M. Ingersoll

INTERVIEW WITH OFC. NICHOLAS MULLER

Interviewer: Det. Morris

11-03-18/7:41 pm

Case # 18-14203

Page 1

INTERVIEW WITH OFC. NICHOLAS MULLER

Q=Det. Morris

Q1=Inspector Eric Solzman

A=Ofc. Nicholas Muller

A1=Michael Rains

Q: This is Detective Morris with the sheriff's office. Today is November 3. The time is approximately 7:41 pm. I am here with?

A: Nicholas Muller, N-I-C-H-O-L-A-S M-U-L-L-E-R.

Q: And his, uh, LDF attorney?

A1: Yes, uh, good evening. My name is Michael Rains, R-A-I-N-S, and I'm here representing Officer Muller.

Q1: And I'm, uh, Inspector Eric Solzman with the Contra Costa District Attorney's Office.

Q: So, Muller, um, what is your employee ID number?

A: 75041.

Q: And what is your cellphone number?

A: Personal or work?

Q: Work.

A: Uh, [REDACTED]

Q: [REDACTED]

A: [REDACTED]

Q: Okay. Um, and what time did you start your shift today?

A: Uh, 6 o'clock, am.

46
47 Q: How long have you - sorry I'm gonna backtrack.
48
49 A: Sure.
50
51 Q: How long have you been employed with the sheriff's office?
52
53 A: Since 2010.
54
55 Q: Uh, when did you do the police academy?
56
57 A: April of 2010.
58
59 Q: Okay.
60
61 A: Roughly.
62
63 Q: And you've been working with the sheriff's office since 2010?
64
65 A: Mm-hm.
66
67 Q: And what were your assignments throughout that?
68
69 A: Uh, West County. I worked West County. I was an FTO for approximately
70 two years in West County and then came to patrol. Uh, was on patrol, passed
71 FTO. Went to Valley Station, worked for a little while and then came to
72 Danville in 2014, I believe. Yeah. Ju- January of 2014.
73
74 Q: Okay. What is your normal shift here in Danville?
75
76 A: Uh, gold team, Friday, Saturday, Sunday 6:00 am to 6:40 pm.
77
78 Q: Okay. And today you - you say you started at 6:00 am?
79
80 A: Yes.
81
82 Q: Okay. And, um, what time did you, uh, after your lineup, what time did you
83 start hitting, uh, the streets?
84
85 A: Um, we went down to do the farmer's market at about 6:30, because they
86 usually call for - call for service around 7:00, so we were trying to get the cars
87 out of there before they moved in.
88
89 Q: Okay.
90

91 A: The farmer's market.
92
93 Q: And were you the solo, uh, occupant in your patrol car today?
94
95 A: No.
96
97 Q: Okay, who did you have with you?
98
99 A: I had, uh, Deputy Maka with me.
100
101 Q: Okay. And who was driving?
102
103 A: Uh, Deputy Maka.
104
105 Q: Okay. And prior to, uh, starting your shift, um, was the patrol car, um,
106 inspected?
107
108 A: Yes.
109
110 Q: Okay. And who inspected that?
111
112 A: Uh, Deputy Maka.
113
114 Q: Okay. And was it a fully marked car?
115
116 A: Yes.
117
118 Q: Can you describe the car for me?
119
120 A: Uh, it's a new, uh, Ford, uh, Explorer. Um, it has - it's black and white, and it
121 has full - both doors on each side are painted white with Danville Police, uh,
122 insignias on the sides.
123
124 Q: Okay.
125
126 A: And overhead lights.
127
128 Q: Okay. Uh, the overhead lights and sirens were working properly?
129
130 A: Yes.
131
132 Q: Okay, and what were you wearing today?
133
134 A: Uh, full department, uh, Danville uniform - blue uniform.
135

136 Q: And can you describe the - the uniform for me?
137
138 A: Um, it ha- it's a blue, uh, regular button-up shirt, short sleeves. It has patches
139 on the shoulders, badge, name, insignias, um, blue pants, gun belt with, uh,
140 Taser, pepper spray, baton or asp...
141
142 Q: Mm-hm.
143
144 A: ...firearm, handcuffs...
145
146 Q: Okay.
147
148 A: ...all that stuff.
149
150 Q: Uh, were you wearing a body camera?
151
152 A: Yes.
153
154 Q: Okay. Was it fully functioning?
155
156 A: Yes.
157
158 Q: And how about your patrol car? Was it equipped with a dash cam?
159
160 A: Yes, it has forward and rear-facing dash cam or body - or, uh - uh, video,
161 sorry.
162
163 Q: Okay. And was that, um...
164
165 A: Yes.
166
167 Q: Uh, okay.
168
169 A: Yeah.
170
171 Q: And when does that activate?
172
173 A: Um, a couple different ways. Like in the morning we test it. When you turn on
174 the - as soon as you activate the code three lights or a forward-facing red for
175 detention...
176
177 Q: Mm-hm.
178
179 A: ...it automatically starts the camera and starts recording. Um, that's one way to
180 do it. Another way to do it is to manually start it via the computer. You can

181 just tap the screen and start it.
182
183 Q: Mm-hm.
184
185 A: Um, and then, uh, if I were - were to draw my Taser and turn my Taser on, it
186 would also - if the function is turned on which I believe it is, it would activate
187 the lights - uh, or the cameras, also.
188
189 Q: Okay.
190
191 A: And the body camera.
192
193 Q: Okay.
194
195 A: Code three lights do the body cameras, also.
196
197 Q: Okay. Um, and annually you attend, uh, officer-advanced courses, correct?
198
199 A: Yes.
200
201 Q: And what kind of courses are those?
202
203 A: Um, defensive tactics, uh, emergency vehicle operations, um, firearms, rifle,
204 first-aid, domestic violence, uh - uh, tactical communications, but I think it's -
205 the name has changed. I don't remember the name off the top of my head.
206 And then, uh, that's it.
207
208 Q: Okay. Um, what time do you remember getting this call for this incident?
209
210 A: Uh, we had just cleared a traffic stop, if I remember correctly, so - and I was
211 texting a friend, um, about getting food and going back to the PDD.
212
213 Q: Mm-hm.
214
215 A: So I'm thinking that we probably got the call around 11:00 - between 11:15
216 and 11:25ish, somewhere there.
217
218 Q: Okay.
219
220 A: Because, uh, I was actually thinking - I was thinking to myself, it's a little too
221 early to eat lunch, but you eat when you can.
222
223 Q: And how did you hear the call come out?
224
225 A: Uh, over the radio.

226
227 Q: Okay. And how did the call - what did they say?
228
229 A: Uh, it...
230
231 Q: The details of the call.
232
233 A: It was a suspicious subject. Um, from what I remember, the call, uh,
234 gentleman wearing black glasses, gray sweatshirt, I think dark pants, uh, was
235 at somebody's door, rang the doorbell and left and then was seen walking one
236 direction on Laurel and then turned around and started coming back towards
237 us, because we responded from Brookside.
238
239 Q: Mm-hm.
240
241 A: And, uh, and then we attached. Obviously dispatch attached us, and we were
242 in route.
243
244 Q: Okay. And I will let you explain, um, what you did and what you saw up until
245 the end.
246
247 A: Okay, you - now?
248
249 Q: Yes.
250
251 A: Okay, so, um, we attached to the call. Um, uh, I asked Maka, I said, "Hey,
252 where we going?" You know, and he said this is what we're - what we're
253 doing. We're going here. Um, we made a right on Brookside, um, didn't know
254 if he was in a car or anything or still on foot, so even from Brookside we were
255 already starting to look for him...
256
257 Q: Mm-hm.
258
259 A: ...for the - somebody matching that description. Uh, continued on Brookside
260 which deads, eh -- uh, dead-ends into Laurel. We made a left on Laurel, uh,
261 drove down Laurel, made the right. After we made the right by 680, the
262 overpass, we went 97 on the computer.
263
264 Q: Mm-hm.
265
266 A: So, um, normally if you go 97 on the computer, your dispatch assumes that
267 you're in the area...
268
269 Q: Mm-hm.
270

271 A: ...uh, instead of saying you were - I was so and so - so and so. So we go 97.
272 We're looking. As we turn the corner, um, from underneath the overpass we
273 make a right-hand bend. Um, we see a gentleman matching the description
274 getting into a silver Honda Civic.
275
276 Q: Okay.
277
278 A: Um, we stop short of the car, I think maybe by five or six car lengths, and I
279 told Maka, "Hey, get out and flag him down like hey, we want to talk to you -
280 we want to talk to you." Uh, at that time it appeared that the guy started to
281 drive away, passed us going southbound on Laurel.
282
283 Q: Okay.
284
285 A: Um, didn't respond to Maka, but in my vantage point, it appeared he was
286 looking at - towards us. I told Maka, "Get back in the car. Let's double
287 around." So we go around. Uh, we started to follow a car. We, uh, caught up
288 to another gray car, but it was a BMW. I believe it was a BMW. Uh, so we
289 continued doing our little area canvas. Um, Officer Caruso was also in the
290 area. He was doing area canvas, and we were talking on the radio about that.
291 We ended up coming down Laurel, made a right on Brookside, made a right -
292 or started to pass, uh, Princeton, which was to our right, and I saw the car
293 parked along the curb line. So we made the U-turn and went back again and
294 stopped short of him probably by five or six car lengths on the right-hand side.
295 He was face- he was on the left-hand side. Uh, again, Maka got out and said,
296 "Hey, stop - stop. We want to talk to you - we want to talk to you. You know,
297 hold on. Wait." And the guy drove past us and left. We made a U-turn out on
298 Princeton - on Princeton. Made a left on Brookside, left on Laurel and didn't
299 see the car going down Laurel which is a - a long street, maybe 1/16 of a mile.
300 So we turned on, uh, Glen Arms - I believe it's Glen Arms.
301
302 Q: Mm-hm.
303
304 A: As we went on Glen Arms, we made the - the left-hand bend, and he had
305 already cleared that street almost down to the stop sign. Um, at that point, um,
306 I was - I was telling Maka, "Hey, we're gonna - we're gonna 95 the car.
307 We're catching up to it mid-block. We're gonna 95 the car. Um, he's - he's
308 passed us twice, and we've asked him to stop." So at that point I felt like we
309 had enough to - to stop him and figure out what's going on...
310
311 Q: Mm-hm.
312
313 A: ...with all the circumstances before of him driving away on us and him
314 matching the description. Uh, we do the 95. He yields prior - maybe, uh, two
315 car lengths maybe from the intersection, from the limit line.

316
317 Q: Okay.
318
319 A: He yields. We both exit the car. As I'm walking up on the passenger side, we
320 get to about to the front of our car, and he drives away. He makes a right on
321 Laurel. Uh, at that time we're going back to the car, and Caruso is now -
322 Officer Caruso is approaching behind us. He just sees it and continues right
323 around, and he's got his lights on. Um, I don't remember if I - if he had his
324 siren on at the time, but he's now behind the suspect vehicle as it's starting to
325 accelerate down Laurel underneath the overpass going north now. We get in
326 our car. We turn the corner. As we're driving, um, I'm trying to do radio
327 traffic with a second car. You know, we're gonna call it if it's - if he takes off,
328 we're in pursuit type thing.
329
330 Q: Mm-hm.
331
332 A: Um, I hear Officer Caruso say, "He threw something out the window." We
333 didn't see it. It was kind of dark under the overpass, so we continue driving.
334 Um, the vehicle makes a right turn onto Hartz Way, um, off of Laurel. As he
335 turns off Hartz Way, he realizes - I think he realized he was going to a dead-
336 end that was going nowhere, because you can see the freeway in front of you.
337
338 Q: Mm-hm.
339
340 A: He starts to make a U-turn. Uh, Caruso pulls to the left and stops kind of to,
341 uh, almost like box him in from going onto River Rock. I think it's River
342 Rock. We pull up and stop. At that point, I tell Maka, "Hey, we're felony -
343 we're gonna felony stop the car." I bel- I - I think I said, "We're gonna felony
344 stop the car. I don't know what this guy's deal is." Um, I get out. I draw my
345 firearm.
346
347 Q: Mm-hm.
348
349 A: And I'm like I'm yelling, "Stop the car - stop the car," and he starts to back
350 up. I'm close enough where I grab the door handle, and I'm jiggling the door
351 handle to tell him, "Stop the car."
352
353 Q: Mm-hm.
354
355 A: And at that point I realize something is not right with him, because he had
356 what I call like the zombie look, you know. He's just like comatose, almost.
357
358 Q: Mm-hm.
359
360 A: And I said something to the effect of, you know, "If he's got a way to get out,

361 let him go. Don't shoot - don't shoot."
362
363 Q: Mm-hm.
364
365 A: Because, you know, I don't want anybody, you know. Um, I'm thinking of
366 what I'm doing. I'm thinking about Maka. I'm thinking about Caruso. I said,
367 "Hey, I'd rather - in my mind I'd rather pursue him than - than shoot him,
368 because he's - he wasn't going very fast so far. I mean he was just not
369 stopping.
370
371 Q: Mm-hm.
372
373 A: Um, we let him go, re-holstered, get back in the car. We flip around. We're
374 now behind him, and I start calling that we're - we're, you know, we're
375 technically in a slow pursuit.
376
377 Q: Mm-hm.
378
379 A: Uh, we make a right on Front. Um, I'm - I'm guessing - I think I said
380 something, 30, 35, light traffic, something of that nature. We're making the
381 corner. We're going through - it's kind of a construction zone. There wasn't a
382 lot of people out, so I felt comfortable with the speeds we were at. As we
383 come around the corner, I hear, um, Officer (Hall) put out that he was at
384 Diablo and Front. So I knew I had a car in front of us.
385
386 Q: Mm-hm.
387
388 A: Um, as we approach Diablo, um, the s- the suspect vehicle goes into the
389 opposing lane, uh, right before the intersection...
390
391 Q: Mm-hm.
392
393 A: ...and, um, Officer (Hall) comes in at kind of to his car maybe like the 2
394 o'clock position.
395
396 Q: Mm-hm.
397
398 A: And he - uh, they're almost head on, but the guy turns left to avoid him
399 coming at the 2 o'clock. Sergeant (Martin) then comes in and is almost nosed
400 into him...
401
402 Q: Okay.
403
404 A: ...so that there's a little space with an angle car. Uh, at that point I go - I
405 believe - I think I'm going to get out of the car, but I'm thinking - I might

406 have even said it - "Be careful. He might ram - back up and ram us."

407

408 Q: Mm-hm.

409

410 A: So I stay in the car. He backs up; doesn't make contact with our patrol car,
411 turns right to go between (Hall) and Sergeant (Martin)'s car. At that time
412 (Hall) is exiting his car and coming around the back.

413

414 Q: Mm-hm.

415

416 A: Um, (Hall) - um, I wanna say I could hear him giving commands, "Stop the
417 car - stop the car." The guy then accelerates towards (Hall). (Hall) opens fire
418 to the front of the windshield. Um, Maka is starting to roll forward to - to try
419 to squeeze through the space. Um, I think at the time I was thinking in my
420 head, you know - you always think of how many shots are fired, right? I'm
421 thinking six to seven. It just - but it was like, you know, pop - pop. It was like
422 - it was rapid, real quick, but it was slow motion in my head, right?

423

424 Q: Mm-hm.

425

426 A: I see (Hall) get out of the way. I don't know if he fell behind the car or stayed
427 on his feet. I don't remember. The car then goes through the two cars without
428 striking those cars, crosses over into the, um, what would be the number 1
429 lane westbound L- uh, Diablo and strikes the front of a silver Jeep, if I
430 remember right, and then into the curb. We go up to the car. Guns are out.
431 Um, I think Caruso was trying to open the door. It was locked. (Hall) punched
432 the window with his punch, if I remember correctly. We got the door open. I
433 looked in, quickly triaged him to make sure there was no - his hands were
434 clear, and then reached in, got the seatbelt off, took him out of the car, put him
435 on the ground. Uh, I believe I yelled at Maka to get my first-aid kit. He ran
436 and got that, opened it up. I started cutting his sweater off, because I could tell
437 from, uh, his sweater the wounds were chest and on his right arm. There was
438 no head wound that I saw, nothing like that. Cut all that off, and then we
439 started doing first-aid stuff by, you know. We were looking at maybe doing a
440 chest seal if we saw something. We were trying to get gauze out. Um, it
441 appeared that he was in my opinion going into cardiac arrest, so (Hall) started
442 - uh, defibbed him...

443

444 Q: Mm-hm.

445

446 A: ...one time. Um, we didn't get any response on the machine, so then we started
447 doing CPR and trying to hold wounds. And, um, with - by then the fire truck
448 was rolling. It was pull - it was like pulling up at that point, and then fire took
449 over. And then I went to scene control, all the logistics part of that stuff.

450

451 Q: Okay. Good job in describing - okay, so that was a mouthful.
452
453 A: It's all right.
454
455 Q: Um, okay. So you gave the description the subject, uh, was driving a Honda
456 Civic. Um...
457
458 A: Yeah, (unintelligible).
459
460 Q: ...any other - um, the subject, you said that he was wearing - um, do you
461 remember anything else about his description, what he was wearing?
462
463 A: Um, I remember the black-rimmed glasses...
464
465 Q: Uh-huh.
466
467 A: ...which I think was in the call, gray sweatshirt. I don't remember the shoes.
468
469 Q: Okay.
470
471 A: Um...
472
473 Q: Ethnicity?
474
475 A: Uh, I don't - I don't remember the initial call what he was - I mean I - after I
476 saw him, uh, he looked, um - um, like Filipino or Asian of some decent.
477
478 Q: Okay.
479
480 A: Um, I don't remember if that was in the call, the initial call.
481
482 Q: Okay.
483
484 A: Um, personally I don't remember.
485
486 Q: When Maka kept flagging him down...
487
488 A: Mm-hm.
489
490 Q: ...uh, those one or two times - actually two times.
491
492 A: Mm-hm, two times.
493
494 Q: Did he - he - you - you said he - it looked like he acknowledged him but just
495 kept going?

496
497 A: Yeah, he kinda had the - the - you know, like he was pulling away, but he was
498 kinda like the - like, um, I see you but I'm driving straight.
499
500 Q: Okay.
501
502 A: That kind of a look to it, you know, but granted I'm getting - either I was
503 getting halfway out of the car looking through the car, but it had to look like
504 he - that's - the whole reason we stopped short was...
505
506 Q: Mm-hm.
507
508 A: ...what did we have at this point, right? You know, so I wanted to make - and
509 when you opened the door, you can see it says "Police" on the side and all
510 that, so I mean, it was -- to me, I felt that he saw us. He saw us. He was
511 looking our direction.
512
513 Q: Mm-hm.
514
515 A: Maybe not full left-hand head turn, but...
516
517 Q: Mm-hm.
518
519 A: ...looking enough that when he pulled out, he had - we were in his line of site.
520
521 Q: Okay. And when you say, uh, we 95, then just - just so, um, we understand
522 what it means, but for the normal person...
523
524 A: Mm-hm.
525
526 Q: ...that's, uh, traffic enforcement stop, right?
527
528 A: Right.
529
530 Q: Okay. Um, and then he doesn't yield another two times. How was he driving?
531 Was he violating any laws while...
532
533 A: Um...
534
535 Q: ...while you guys were in pursuit?
536
537 A: So when we initiated the traffic stop, like I said, I - I believe he was probably
538 about two or three from the limit line.
539
540 Q: Mm-hm.

541
542 A: When he drove away from that, he didn't stop at the line. He just turned.
543
544 Q: Okay - okay.
545
546 A: So we had to - adding onto the - the other issues that we saw and that we were
547 concerned about, I - I believe he was probably driving at a little bit of high
548 rate of speed, over 25 through the neighborhood.
549
550 Q: Mm-hm.
551
552 A: Um, just because of the distance he got on us before we could catch up.
553
554 Q: Mm-hm.
555
556 A: Um, so he went around that stop sign, took the - the one at Laurel and - and
557 Hartz Way, just turned the corner, ran that stop sign.
558
559 Q: Mm-hm.
560
561 A: So at that point, uh, we - that's when I - I think I even said, you know, "Hey,
562 we're just gonna felony stop this guy," whatever, and just we went out at gun
563 point and then he drove away from us again, so.
564
565 Q: Um, did he have any disregard for the safety of others while he was driving?
566
567 A: I mean he ran stop signs. I mean I don't think - I mean he was driving away
568 from us two times...
569
570 Q: Mm-hm.
571
572 A: ...so I don't think he really cared what he was doing in my opinion.
573
574 Q: Okay.
575
576 A: I mean - I mean he was - it wasn't, you know, reckless driving at that point...
577
578 Q: Mm-hm.
579
580 A: ...but there was no, you know, I'm just gonna keep driving type attitude.
581
582 Q: Right.
583
584 A: Yeah.
585

586 Q: Now when you said, um, (Hall) - so this is (Hall)'s vehicle, and this is
587 Sergeant (Martin)'s vehicle. You said (Hall) came out here. Where was your
588 car in relation to...
589
590 A: So if - if, um, if the street's here...
591
592 Q: Mm-hm.
593
594 A: ...(Martin)'s parked here. (Hall) is this way.
595
596 Q: Uh-huh.
597
598 A: The street's more straight. He initially comes up and - and meets like here. We
599 pull up behind him. He backs up and turns this way to go through, and (Hall)
600 is coming around the back of the car if I remember correctly.
601
602 Q: Where was (Hall) standing?
603
604 A: He's coming around and he's probably between the two cars on - on maybe
605 middle right.
606
607 Q: Okay.
608
609 A: Uh, in - in the path of this car. I mean it's...
610
611 Q: Okay.
612
613 A: This is not to scale obviously so middle of the car, and he's giving commands,
614 and the car turns and accelerates at him, and he's backpedaling, if I remember
615 correct - backpedaling and - and firing.
616
617 Q: (Hall) is backpedaling and firing?
618
619 A: Trying to get back to, you know, out of the way and safety.
620
621 Q: Does - does it look like the subject is trying to drive towards (Hall)'s
622 direction?
623
624 A: He's - well...
625
626 Q: So if (Hall) wasn't moving, was - was he...
627
628 A: If (Hall) - if (Hall) didn't move, he would have been hit in my opinion
629
630 Q: Okay.

631
632 A: He would have been hit.
633
634 Q: How fast do you think he was going, the subject?
635
636 A: Uh, miles per hour, I - I don't - he was accelerating, because after he was hit,
637 he was still accelerating in - at a high rate of speed across to where he
638 impacted the car.
639
640 Q: So once he - he was accelerating through when he was clearing...
641
642 A: Through, yes.
643
644 Q: ...the gap.
645
646 A: Through, yes.
647
648 Q: Okay.
649
650 A: Yeah. He - he took the opening and took it. And then we rolled forward.
651
652 Q: Mm-hm.
653
654 A: That's why if - if you're on scene, when we roll forward and I - and I said - I
655 think I told him stop, because I didn't think we were gonna fit through and
656 there was -- you could see the crash. I'm like he ain't - my thought, he ain't -
657 he's not going anywhere. Let's get out of the car. So we kinda like made that a
658 real tight spot, because we were thinking of driving through.
659
660 Q: Okay.
661
662 A: But I think Maka's thought was I'm gonna keep going after him.
663
664 Q: Mm-hm.
665
666 A: If he kept driving, but then we saw the TC, the traffic collision, so.
667
668 Q: Okay. And you guys quickly render - rendered aid...
669
670 A: Yeah.
671
672 Q: ...to the subject.
673
674 A: Yeah.
675

676 Q: Um, uh, when you guys pull the subject out, you guys did, uh, CPR until
677 AMR got there?
678
679 A: Yeah, so, uh, pulled him out of the car, got the first-aid kit. Um, I was -
680 triaged him, looked where wounds were. I cut off his sweatshirt straight up the
681 chest...
682
683 Q: Mm-hm.
684
685 A: ...and then cut down the arm. I could see two chest wounds, um, kinda the
686 upper chest and maybe the lower left pec area.
687
688 Q: Mm-hm.
689
690 A: And then I want to say maybe one - one, two three in the right arm. Um, I
691 didn't see anything in the head so we started - I said, "Hey, you know, let's
692 start." And we just started doing medical stuff, so.
693
694 Q: Okay.
695
696 A: To the best of our ability.
697
698 Q: And when you say you defibbed, just...
699
700 A: The - the, um, A- uh, what is it?
701
702 Q: AED?
703
704 A1: AED.
705
706 A: AED, yeah, so it - to me it looked like he was going into cardiac arrest. I don't
707 think I said that. I was just thinking.
708
709 Q: Mm-hm.
710
711 A: And, uh, (Hall) was setting it up. We're triaging, getting gauze out, trying to
712 hold wounds, keep some bleedings from starts - uh, stop - try to stop the
713 bleeding.
714
715 Q: Mm-hm.
716
717 A: So he de- defibbed him once. We didn't get any real register on the machine
718 as far as I can remember. And then, uh, he said we'll assist - do CPR - start
719 CPR. We could hear the fire truck coming.
720

721 Q: Mm-hm.
722
723 A: And, um, we started doing CPR. I think when I pulled him out, I actually
724 called for fire, but I think they were already on their way. I said, "Start code 3
725 medical. And then - uh, because I don't remember. Usually they say, "What
726 are the injuries," and I don't remember that, because we were - um, it was
727 close quarters and we're talking, trying to handle business so.
728
729 Q: Okay. Do you have anything Solzman?
730
731 Q1: Just really quick. What vehicle number were you guys in?
732
733 A: Mm, we were not in my normal car. We were in 2146, I believe.
734
735 Q1: Okay. And I don't know if you said this earlier, but were you in - in FTO
736 capacity with, uh, Maka?
737
738 A: Yes.
739
740 Q1: Okay, and he wu- he was a trainee at - at a shadow program?
741
742 A: Shadow phase, yeah.
743
744 Q1: Okay.
745
746 A: So his last week to get signed off.
747
748 Q1: Okay.
749
750 A: To be on his own.
751
752 Q1: Okay, that's all I had. Mike?
753
754 Q: Mike?
755
756 A1: Yeah, can I - can I do something real quick, uh, just to maybe make a clear
757 record of this where the shooting occurred.
758
759 A: Mm-hm.
760
761 A1: I'm gonna give you a piece of paper.
762
763 A: Okay.
764
765 A1: Uh, would you draw the intersection? This - this is at Front and Diablo...

766
767 A: Right.
768
769 A1: ...where this incident occurred? Would you just draw the intersection, just -
770 just draw us an intersection there. Uh, and I'm gonna have you do this and
771 then provide this document to the investigators.
772
773 A: Mm-hm.
774
775 A1: Okay, so now what's Front Street? Label Front Street for us and then Diablo.
776 Okay. All right, so you've written Front and Diablo on this diagram. And
777 you've written north, the direction north. So would you first draw the, um, the
778 what I'll call the suspect vehicle, where it came...
779
780 A: Okay, I'm gonna draw like limit lines and stuff real quick...
781
782 A1: Okay, yeah, sure - sure - sure.
783
784 A: ...just draw turn - turn lanes, just so it kinda gives you the idea.
785
786 A1: So there's a right turn lane off Front.
787
788 A: Off Front that goes east on Diablo.
789
790 A1: Okay.
791
792 A: There's a straight lane north on Front that has a left turn lane and a straight
793 lane.
794
795 A1: All right.
796
797 A: And this is a single lane going this way.
798
799 A1: Okay.
800
801 A: Um, there's two lanes going this way.
802
803 A1: On Diablo?
804
805 A: Ee- east on Diablo. There is a left turn lane to go south on front, and then
806 there's two straight lanes to go west on Diablo.
807
808 A1: All right.
809
810 A: So, um, as we're approach, I - I don't recall if there was a car here. Um,

811 maybe he saw (Hall) coming, but he goes onto the oncoming lane of traffic.
812 Um, so initially, um, his car is if I remember right, a little cockeyed.
813 (Martin)'s car is parked here.
814
815 A1: Could you just put S inside the car?
816
817 A: Six.
818
819 A1: Okay, that's...
820
821 A: Is that worded...
822
823 A1: You've written SUS. Yes.
824
825 A: Okay.
826
827 A1: And then you've put (Martin)'s car, that Sergeant (Martin).
828
829 A: Mm-hm.
830
831 A1: Okay. Label that. You've labeled that...
832
833 A: Right.
834
835 A1: (Martin), okay.
836
837 A: Um, (Hall) came in first. (Hall)'s car is parked like this. I mean I'm trying to
838 remember where it was in the intersection exactly. It's not to...
839
840 A1: Okay, would you write (Hall)?
841
842 A: It's not to scale.
843
844 A1: I understand. And so we're clear on this, (Martin) and (Hall)'s car are facing
845 the suspect car.
846
847 A: Right, and - and initially the suspect car is more head-on with (Martin)...
848
849 A1: Okay.
850
851 A: ...because he saw (Hall) coming.
852
853 A1: Okay.
854
855 A: (Hall) comes up, stops. He tries to - I - I think his intention was to go around,

856 and (Martin) comes in and stops.
857
858 A1: Okay.
859
860 A: So he's kinda nosed into (Martin).
861
862 A1: Now you - you're gonna draw your car.
863
864 A: We - we were rolling behind him.
865
866 A1: Okay. Just put your name if you want. Okay, and you've written Muller and
867 Maka?
868
869 A: Maka, right.
870
871 A1: Okay, and you are behind him facing...
872
873 A: Behind him on the...
874
875 A1: ...his trunk.
876
877 A: ...southbound lane and facing north, yes, up front.
878
879 A1: All right - all right. And you said that, as I understand it, your belief was that
880 at some point in time (Hall) had gotten out of his car.
881
882 A: Right.
883
884 A1: Where was he standing approximately when you saw - just before you saw the
885 shooting?
886
887 A: Uh, I would say he made it to the rear passenger door handle.
888
889 A1: Okay.
890
891 A: Approximate. I would say more roughly in the middle of the space between
892 the two cars.
893
894 A1: All right. You've drawn - I don't know what that is but, uh...
895
896 A: That's a little asterisk.
897
898 A1: ...why don't you just...
899
900 A: So, uh...

901
902 A1: ...put an H or something.
903
904 A: (Hall).
905
906 A1: Okay - okay, so you're drawing an arrow and...
907
908 A: And he comes around the back.
909
910 A1: Okay. And he was standing there?
911
912 A: Mm-hm. As he's coming around, the suspect car is backing up to us.
913
914 A1: Okay.
915
916 A: And as he comes around, the suspect car then pulls forward between the gap
917 in (Hall)'s direction with - with - where he would be hit, and (Hall), if I
918 remember correctly, is backpedaling and firing to the windshield as the car is
919 in front of him, coming towards him.
920
921 A1: And just so I know, the vantage point you had of the shooting was - uh, I think
922 you said you were worried the suspect was gonna back into your car and ram
923 you.
924
925 A: Mm-hm.
926
927 A1: So you hadn't gotten out of your car yet?
928
929 A: No.
930
931 A1: So you're looking at what you're seeing.
932
933 A: Right through the windshield at the whole thing, right.
934
935 A1: Okay, all right. Okay.
936
937 A: And I mean seeing him shooting, the rounds hitting the windshield, the glass
938 flying...
939
940 A1: Okay.
941
942 A: ...uh, I couldn't tell if he was hit inside the car at the time.
943
944 A1: Okay. Um, go ahead. Um, why don't you just sign your name on that piece of
945 paper, and I'm gonna have you give it the investigators, so that we have that -

946 a pretty clear record of that. Um, and just...
947
948 Q: Thank you.
949
950 A1: Just so, uh, for the record...
951
952 A: Mm-hm.
953
954 A1: ...um, did - were you wearing a body cam yourself?
955
956 A: Yes.
957
958 A1: And did you activate that manually or do you know? Do you remember?
959
960 A: I don't recall if it was - if we can manually do it..
961
962 A1: Okay.
963
964 A: ...or if it was when we activated the lights.
965
966 A1: Okay. Um...
967
968 A: I don't remember.
969
970 A1: ...prior to giving this statement you've just given, uh, you've not looked at
971 the...
972
973 A: No.
974
975 A1: ...body camera evidence, is that true?
976
977 A: No - yes.
978
979 A1: Have you looked at any camera evidence at all?
980
981 A: No.
982
983 A1: And prior to giving this statement that you've just given, other than talking to
984 myself...
985
986 A: Mm-hm.
987
988 A1: ...talking to Attorney Sarah Burdick from our office...
989
990 A: Mm-hm.

INTERVIEW WITH OFC. NICHOLAS MULLER

Interviewer: Det. Morris

11-03-18/7:41 pm

Case # 18-14203

Page 23

991

992 A1: ...have you talked to anybody else about the facts of the case other than...

993

994 A: No.

995

996 A1: ...the two of us?

997

998 A: No.

999

1000 A1: All right. All right, thank you. I just wanted to establish that. I appreciate that.
1001 Thank you.

1002

1003 Q: I think we're all done.

1004

1005 A: Okay.

1006

1007

1008 The transcript has been reviewed with the audio recording submitted and it is an accurate
1009 transcription.

1010

Signed M. Angersoll



**CONTRA COSTA COUNTY
OFFICE OF THE SHERIFF - CORONER
CORONER'S REPORT**



CLASSIFICATION: Homicide/Gunshot **CASE:** 18-5119

DECEDENT: ARBOLEDA LAUDEMER ATIENZA
Last First Middle

DATE REPORTED: 11/03/2018 **TIME REPORTED:** 1820 **HOURS**

DATE OF DEATH : 11/03/2018 **TIME OF DEATH :** 1144 **HOURS**

AKA: Other I.D.: CDL # [REDACTED]

DOB: 02/09/1985 **AGE:** 33 **YEARS (UNDER 1 YEAR:** MONTHS **DAYS)**

SEX: Male **RACE:** Filipino **EST HGT:** 5-05 **EST WGT:** 167

HAIR: Black **EYES:** Brown **SOCIAL SEC#:** [REDACTED]

USUAL ADDRESS: [REDACTED]

CITY STATE ZIP: [REDACTED] **PHONE#:** [REDACTED]

IDENTIFIED BY: Sgt. Martin **DATE:** 11/03/2018 **TIME:** 1144 **HOURS**

ADDRESS and PHONE#: Danville PD
(925) 646-2441

OTHER INVESTIGATING AGENCY: Danville PD

AGENCY FILE#: 18-14203 **ASSIGNED OFFICER:** Detective Ingersoll

NEXT OF KIN

NAME OF LEGAL NEXT OF KIN		RELATIONSHIP TO DECEASED	DOB
[REDACTED]		Mother	[REDACTED]
ADDRESS: [REDACTED]			
RESIDENCE PHONE #:		OTHER PHONE#:	
[REDACTED]		[REDACTED]	

AUTHORIZED ALTERNATE NEXT OF KIN	RELATIONSHIP TO DECEASED	DOB
ADDRESS:		

RESIDENCE PHONE #: _____ OTHER PHONE#: _____
 LEGAL NOK NOTIFIED BY: Detective Cai AGENCY: Orinda PD
 NOTIFIED DATE: 11/03/2018 TIME: 1917 HOURS HOW: In Person

REPORTED BY DEPUTY CORONER: K. Hoffman

DECEDENT: ARBOLEDA, LAUDEMER ATIENZA CASE #: 18-5119

FUNERAL HOME

F. D. O. C.: Chapel of the Chimes - Hayward

ADDRESS, PHONE: 32992 Mission Blvd., Hayward, CA 94544
(510) 471-3363

PLACE OF DEATH

LOCATION: San Ramon Regional Medical Center/ER
(i.e., Residence/Hospital - ER or IP/ Public or Private Roadway, etc.,)

ADDRESS: 6001 Norris Canyon Road

CITY and STATE: San Ramon, CA 94583 CORONER'S SEAL? No

PRONOUNCED AND / OR DETERMINED BY: Dr. Cardena

REPORTED BY: Sgt. Marchese PHONE #: (925) 646-2441

DECEASED DISCOVERED BY: PHONE #:

ADDRESS:

BODY REMOVED TO: County Morgue ORDERED BY: Hoffman

MEDICAL HISTORY

REGULAR PHYSICIAN: PHONE #:

ADDRESS:

DATE LAST SEEN: MEDICAL NUMBER:

MEDICAL HISTORY:

DECEDENT: ARBOLEDA, LAUDEMER ATIENZA CASE #: 18-5119

INJURY INFORMATION

DATE OF INJURY: 11/03/2018 TIME OF INJURY: 1119 HOURS

LOCATION OF INJURY: Public Roadway

(i.e., Residence/ Hospital -ER or IP / Public or Private Roadway, etc.,)

ADDRESS INJURY OCCURRED: Diablo Road / Front Street

Danville, CA 94526

MAP LOCATION: _____ AT WORK: No

HOW INJURY OCCURRED: Multiple Gunshot Wounds

IF APPLICABLE, TYPE OF GUN AND/OR WEAPONS: _____

VEHICLE MAKE, MODEL, YEAR, LIC#: _____

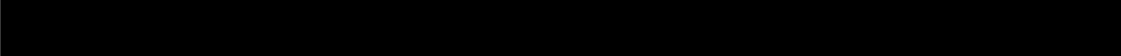
MV STATUS: _____ REG. TO: _____

ADDRESS: _____

TOWED TO: _____ ORDERED BY: _____

WITNESSES:

(NAME, ADDRESS, TELEPHONE)

1. 
2. _____
3. _____
4. _____

IDENTIFIABLE INFORMATION

(i.e. scars, marks, tattoos)

INVESTIGATIVE REPORT

CASE#: 18-5119

Date: 11/04/2018 Time: 0030 Hours

On 11/3/18, at approximately 1820 hours, Sgt. Marchese with the Contra Costa Sheriff's Office reported the death of Laudemer Arboleda, a 33-year-old male.

At approximately 1106 hours, Danville PD was dispatched to a report of a suspicious person at 68 Cottage Place. The reporting person said the decedent was ringing door bells and walking around the neighborhood. Officers responded, and the decedent was seen driving away in a 2014 Honda Civic [REDACTED]

Officers attempted to make a traffic enforcement stop of the vehicle, but the decedent fled the area. While officers were trying to stop the vehicle, the decedent was seen throwing an unknown object from the vehicle. The decedent drove from Laurel Drive, west on Hartz Way, north on Front Street. As the decedent approached Diablo Road, the decedent drove his vehicle into the path of a Danville Police Officer. Danville PD fired at the decedent striking him several times. EMS responded to the scene and the decedent was transported to San Ramon Regional Medical Center. The decedent arrived at the ER at approximately 1140 hours. Dr. Cardena pronounced death at 1144 hours.

The decedent was identified by Danville Officers by comparison to his California Driver License photo.

Based on the information provided, I assumed jurisdiction of the remains and responded to the hospital. I met with emergency room staff, who provided me a copy of the decedent's ER chart. There was no first drawn blood.

I removed the remains to the morgue where they were photographed, x-rayed, weighed, tagged, and stored.

The decedent's mother, [REDACTED] was notified of the death in person at her residence by Detective Cai at approximately 1917 hours.

Deputy K. Hoffman

INVESTIGATIVE REPORT

CASE#: 18-5119

Date: 11/06/2018 Time: 1300 Hours

A representative from the CCCSO Forensic Services Division collected the decedent's clothing and property during the autopsy.

I scanned the decedent's fingerprints into the Live Scan system. Fingerprint Technician L. Donnelly with the CCCSO ID Unit sent a message that the decedent was issued an Automated Fingerprint Identification System (AFIS) # 070KOK060. The decedent was identified by fingerprints to Criminal Identification and Information (CII) # A35424663.

Deputy W. Wong

Date: 11/06/2018 Time: 1645 Hours

A representative from Chapel of the Chimes presented a release signed by the next of kin, [REDACTED] mother of the deceased. I released the remains.

Deputy W. Wong

Date: 07/30/2019 Time: 1200 Hours

On 7/30/19, at 0900 hours, a Coroner's Inquest was conducted regarding the death of Laudemer Atienza Arboleda. The 11 person jury was sworn in and after hearing testimony, made the following 9 - 2 verdict: The decedent's death was due to, "At the hands of another person, other than by accident."

The manner of death will be changed to reflect the jury's findings, and an amendment to the death certificate will be completed.

Deputy K. Hoffman

APPROVED BY SUPERVISOR:


7-31-19

OFFICE OF THE SHERIFF-CONTRA COSTA COUNTY
CORONER'S DIVISION



DAVID O. LIVINGSTON, SHERIFF-CORONER

NAME: ARBOLEDA, LAUDEMER ATIENZA

AUTOPSY REPORT 2018-5119

POSTMORTEM AT: CENTRAL MORGUE, MARTINEZ, CALIFORNIA

DATE: 11/06/18 TIME: 0808 HR.

PLACE OF DEATH: SAN RAMON REGIONAL MEDICAL CENTER, SAN RAMON, CA.

DATE: 11/03/18 TIME: 1144 HR.

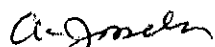
AUTOPSY FINDINGS

1. Fatal gunshot wound of left chest with left hemothorax, hemopericardium, passage through heart and left lung.
2. Four gunshot wounds to right arm.
3. Two gunshot wounds to right shoulder.
4. Superficial gunshot wound of left chest wall.
5. Gunshot wound across back.

CAUSE OF DEATH: GUNSHOT WOUND OF LEFT CHEST

(MINUTES)

DATE: 12-11
AJ/AVH


ARNOLD JOSSELSO, M.D.
FORENSIC PATHOLOGIST

EXTERNAL EXAMINATION

The body is that of a normally developed, normally nourished male, appearing the reported age of 33 years. The clothing on the body consists of a pair of black pants each lower leg having been cut, a pair of red-black - plaid boxer shorts and a gray sock on the left foot. Submitted with the body is a matching sock. The body measures 65 inches and weighs 167 pounds. The head is symmetrical without evidence of trauma. The scalp is covered with medium length black hair of normal male distribution. There is a slight beard and mustache stubble on the face. The face is symmetrical. The irides are brown and the pupils are round and equal. The sclerae and conjunctivae are normal. The external ears, nose, and lips are normally developed. There is no evidence of fracture or hemorrhage of the nose or mouth. The buccal mucosa and tongue show no lesions. The teeth are intact and in good repair. The ears reveal no evidence of trauma or hemorrhage. The neck is symmetrical, and the trachea is palpable in the midline. The chest, abdomen, back, upper and lower extremities are normally developed. The abdomen is flat and there are no visible abdominal scars. The external genitalia are those of a normal adult male. There are no needle tracks in the antecubital fossae. There are no transverse scars on the wrists. The hands, fingers and fingertips are intact and reveal no trauma. The back and posterior body surfaces reveal no abnormalities.

There are nine gunshot wounds to the body, only one of which (#1) is fatal. There are numbered #1-9 for convenience sake only. There is no soot or stippling on the skin about any of the entry defects making all nine gunshot wounds of distant or indeterminate range.

Gunshot wound #1 is a fatal gunshot wound of the left chest. The entry defect is located in the midline of the anterior chest, 39.5 cm below the top of the head. The entry defect is round measuring 1.2 cm with a symmetrical 3-5 mm abrasion margin. The bullet enters the left chest through the antero-medial left 3rd intercostal space, passes through the left ventricle, passes through the left upper lung lobe, exits the left chest through the lateral left 6th intercostal space and comes to rest on the lateral left upper back 19 cm below the top of the shoulder 20 cm to the left of the posterior midline. The bullet is recovered from the soft tissue and is a full metal jacketed medium caliber mushroomed bullet. This bullet, as well as the three bullets are given to attending technician J. Fong of the Sheriff's Office. The path of gunshot wound #1 is from the victim's right to left, front to back and slightly down.

Gunshot wound #2 is a gunshot wound to the right shoulder. The entry defect is on the top of the right shoulder. The defect is oblong measuring 1 cm with an anterior 3 mm abrasion margin. The bullet passes through the head of the right humerus, fracturing it, and comes to rest in between the right clavicle and right scapula where a mushroomed medium caliber lead core is recovered. The path of gunshot wound #2 is from the victims right to left.

Gunshot wound #3 is a gunshot wound to the right shoulder. The entry defect is located on the anterior right shoulder 6 cm below the top of the shoulder. The entry defect is oblong measuring 1 cm with an inferior 5 mm, superior medial and lateral 2 mm abrasion margin. This bullet passes through the head of the humerus and then passes through the right scapula comes to rest posterior to the right scapula where a medium caliber full metal jacketed slightly mushroomed projectile is recovered. The path of gunshot wound #3 is from the victims right to left.

Gunshot wound #4 is a gunshot wound across the back. The entry defect is located on the top of the right chest 13 cm to the right of the posterior midline. The entry defect is round measuring 7 mm with a 1 x 2 cm lateral abrasion margin. The bullet passes across the top of the back and comes to rest posterior to the upper left scapula where a medium caliber full metal jacketed slightly mushroomed bullet is recovered. The path of gunshot wound #4 is from the victims right to left.

Gunshot wound #5 is a superficial gunshot wound of the left chest wall. The entry defect is located on the lateral lower left chest wall 29 cm below the top of the head, 16 cm to the left of the anterior midline. The entry defect is oval measuring 8 mm with a 2-3 mm inferior abrasion margin. The bullet passes through the soft tissue of the chest wall and exits the anterior left chest 47.5 cm below the top of the head 6 cm to the left of the anterior midline. The exit defect is triangular-shaped measuring 2 cm. The path of gunshot wound #5 is from the victims left to right, back to front and up.

Gunshot wound #6 is a perforating gunshot wound of the left upper arm. The entry defect is located on the left upper arm anterolaterally 43 cm above the fingertips. It is round measuring 1.2 cm with lateral 2 mm abrasion margin. The bullet passes through the humerus fracturing it and exits on the upper left arm on the anteromedial aspect 42 cm above the fingertips. The exit defect is square measuring 1 cm. The path of gunshot wound #6 is from the victims left to right and slightly down.

Gunshot wound #7 is a perforating gunshot wound of the right forearm. The entry defect is located on the anterolateral lower right forearm 19 cm above the fingertips. The entry defect is oval measuring 8 mm with a superior 3 mm abrasion margin. The exit defect is located on the medial right posterior wrist 15 cm above the fingertips. It is oval and measures 1 cm. The path of gunshot wound #7 is from the victims right to left, front to back and down.

Gunshot wound #8 is a perforating gunshot wound of the right forearm. The entry defect is located on the posterior upper right forearm 35 cm above the fingertips. It is squared measuring 1 cm with an inferior and superior 2 mm abrasion margin. The bullet passes through the right forearm and exits the medial upper forearm 33 cm above the fingertips. The exit defect is round measuring 7 mm with a symmetrical 2-5 mm abrasion margin. The path of gunshot wound #8 is from the victims right to left, slightly down and slightly back to front.

Gunshot wound #9 is a graze gunshot wound on the anterior upper right arm 14.5 cm below the top of the shoulder. It measures 1 x 1.5 cm. Its direction cannot be determined.

EXTERNAL EVIDENCE OF MEDICAL THERAPY:

There is none.

INTERNAL EXAMINATION

The body is examined using the thoracoabdominal and posterior scalp incisions.

HEAD:

The reflected scalp, calvarium and base of the skull are unremarkable. The temporal muscles reveal no hemorrhage. On removal of the calvarium, there is no evidence of epidural, subdural or subarachnoid hemorrhage. The leptomeninges are thin and delicate. The tentorium, cerebellum and falx are intact. The vessels at the base of the brain have a normal configuration and show no arteriosclerosis. The brain is symmetrical and weighs 1580 grams. The convolutionary pattern is smooth and symmetrical. There is no evidence of herniation, contusion, laceration, softening or hemorrhage. Multiple coronal sections show no focal abnormalities. The cerebellum, mid-brain, pons and medulla show no abnormalities. The dura is stripped and reveals no abnormalities at the base of the brain. The orbital roofs are intact and unremarkable.

NECK:

No abnormalities are noted in the anterior strap muscles, hyoid bone, laryngeal cartilages, or cervical vertebral column.

BODY CAVITIES:

The right pleural and peritoneal cavities are free of fluid. The left pleural cavity contains 1500 ml of blood. The pleural and peritoneal cavities are free of adhesions. The pericardium is thin and translucent and has been perforated by a bullet and contains a small amount of blood. There are no pericardial adhesions. The diaphragm is intact and all organs are in their normal locations. The subcutaneous fat in the abdominal wall measures approximately 2 inches.

CARDIOVASCULAR SYSTEM:

The 260 gram heart has a normal configuration. The coronary arteries arise normally, follow a normal distribution. The coronary arteries show focal mild arteriosclerosis. The endocardium, pericardium, epicardium, myocardium and cardiac valves are normal throughout except for two gunshot wounds on the surface of the left ventricle and a gunshot wound through the IV septum. The papillary muscles and chordae are normal. The aorta and branch vessels show no arteriosclerosis.

RESPIRATORY SYSTEM:

The larynx and trachea are intact. The right lung weighs 370 grams and the left lung weighs 180 grams. The tracheobronchial tree follows its normal anatomic pathway and contains a slight amount of blood. Examination of the intrinsic pulmonary vessels reveals no thromboemboli. The cut surface discloses a gunshot wound in the left upper lung lobe.

GASTROINTESTINAL TRACT:

The tongue, esophagus, stomach, small intestine, and colon are unremarkable. The appendix is present. The stomach is empty.

HEPATOBIILIARY SYSTEM:

The 1080 gram liver has the normal size and shape. The capsule is intact. It has a normal consistency and a normal red-brown color throughout. Sectioning reveals no focal lesions. The gallbladder contains approximately 5 cc of red-brown bile of normal viscosity. The biliary tract is patent.

PANCREAS:

The pancreas is normal.

ENDOCRINE SYSTEM:

The thyroid and the adrenal glands are anatomically normal.

HEMO-LYMPHATIC SYSTEM:

The 50 gram spleen has an intact capsule and normal parenchyma. The white pulp is not visible. The lymph nodes are unremarkable.

URINARY SYSTEM:

The right and left kidneys each weigh 80 grams. The capsules are smooth and strip with ease. Sectioning reveals normal cortices, with a distinct corticomedullary junction and normal renal pelves. The ureters and bladder have a normal configuration, and the bladder contains 100 ml of clear urine. The bladder mucosa is normal.

REPRODUCTIVE SYSTEM:

The prostate gland is normal to palpation.

MUSCULOSKELETAL SYSTEM:

The injuries have previously been described.

SPECIMENS FOR HISTOLOGY:

Representative sections of the major organs are saved.

SPECIMENS FOR TOXICOLOGY:

Cavity blood is submitted for alcohol analysis and drugs of abuse. Vitreous humor and urine are retained.

/Cassette drug screen test performed on the urine during autopsy is negative.

Urine dipstick is negative.

PRESENT:

B. Ward, Pathologist's Assistant
E. Solzman, Sr. Inspector, Contra Costa County District Attorney's Office
C. Jacquez, Detective, Contra Costa County Sheriff's Office
M. Ingersoll, Detective, Contra Costa County Sheriff's Office
J. Fong, Fingerprint Technician, CSI, Contra Costa County Sheriff's Office
S. Sigmon, Criminalist, Contra Costa County Sheriff's Office
B. Grove, Contra Costa County District Attorney's Office



NMS Labs

3701 Welsh Road, PO Box 433A, Willow Grove, PA 19090-0437
Phone: (215) 657-4900 Fax: (215) 657-2972
e-mail: nms@nmslabs.com
Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

CONFIDENTIAL

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Toxicology Report

Report Issued 11/13/2018 15:13

To: 10449
Contra Costa Sheriff's Office - Coroner Division -
Attn: April VanHousen
1960 Muir Road - 1st Floor
Martinez, CA 94553

Patient Name ARBOLEDA, LAUDEMER
Patient ID 18-5119
Chain 12052502
Age 33 Y DOB 02/09/1985
Gender Male
Workorder 18324734

Page 1 of 2

Positive Findings:

None Detected

See Detailed Findings section for additional information

Testing Requested:

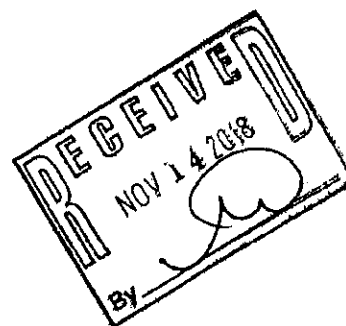
Analysis Code	Description
8061B	Postmortem, Basic w/o Alcohol, Blood (Forensic)

Specimens Received:

ID	Tube/Container	Volume/ Mass	Collection Date/Time	Matrix Source	Miscellaneous Information
001	Gray Top Tube	9 mL	11/06/2018 08:10	Cavity Blood	
002	Gray Top Tube	8.8 mL	11/06/2018 08:10	Cavity Blood	

All sample volumes/weights are approximations.

Specimens received on 11/07/2018.





CONFIDENTIAL

Workorder 18324734
Chain 12052502
Patient ID 18-5119

Page 2 of 2

Detailed Findings:

Examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 18324734 was electronically signed on 11/13/2018 14:10 by:

Erik Flail, B.A.
Certifying Scientist

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acocde 8061B - Postmortem, Basic w/o Alcohol, Blood (Forensic) - Cavity Blood

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amphetamines	20 ng/mL	Fentanyl / Acetyl Fentanyl	0.50 ng/mL
Barbiturates	0.040 mcg/mL	Methadone / Metabolite	25 ng/mL
Benzodiazepines	100 ng/mL	Methamphetamine / MDMA	20 ng/mL
Buprenorphine / Metabolite	0.50 ng/mL	Opiates	20 ng/mL
Cannabinoids	10 ng/mL	Oxycodone / Oxymorphone	10 ng/mL
Cocaine / Metabolites	20 ng/mL	Phencyclidine	10 ng/mL

CORONER'S FINDINGS

IN THE MATTER OF THE CORONER'S FINDINGS ON THE BODY OF

Laudemer Atienza Arboleda, deceased,
I, David O. Livingston, Sheriff-Coroner of Contra Costa County, certify

That on this date at Contra Costa County, State of California, an investigation was made into the death of the above-named person; that inquiry was made into the circumstances attending said death, and in what manner, where, and when said death occurred; and that findings of said investigation referenced as case file CR 18-5119 are:

Sex Male Age 33 years old Race Filipino

Date of Death 11/03/2018 Time of Death 1144

Place of Death San Ramon Regional Medical Center/ER
6001 Norris Canyon Road, San Ramon, CA 94583

Cause of Death Gunshot wound of Left chest

Other Significant Conditions *****INQUEST*****

Classification Homicide


Medical Examination ☒

Review ☐

Inspection ☐ By Arnold Josselson, Forensic Pathologist

David O. Livingston, Sheriff-Coroner
Contra Costa County

Dated 08/02/2019

By 
Deputy - Coroner

**Contra Costa County
Coroner's Office**

VERDICT OF CORONER'S JURY

In the matter of the inquest on the body of **Laudemer Atienza Arboleda**, Before Hearing Officer
Matthew Guichard.

Inquisition was taken on this date in Contra Costa County, State of California on the body of the
above named person, at which time and place a duly summoned Coroner's Jury was sworn to inquire into
the circumstances attending said death, and in what manner, where and when said death occurred.

We, the members of the Coroner's Jury, certify that our verdict is as follows:

Name of Deceased: **Laudemer Atienza Arboleda**

Sex: **M** Age: **33** Race: **Asian**

Date of Death: **November 11, 2018** Time of Death: **1144 hours**

Place of Death: **San Ramon Regional Medical Center**

Medical Cause of Death: **Gunshot Wound of Left Chest**

Death was caused by: **At the hands of another person, other than by accident**

Dated: **July 30, 2019**

David J. Goodhart
Renee M. MacLennan
Mark Muller
Elaine Baker
Scott G. Noyes
John M. Shode

Shadelyne Thomas
Debra Starnes
Spinalasing
Edgardo Cruz
Alfred

Approved: **David O. Livingston, Sheriff-Coroner**
Contra Costa County

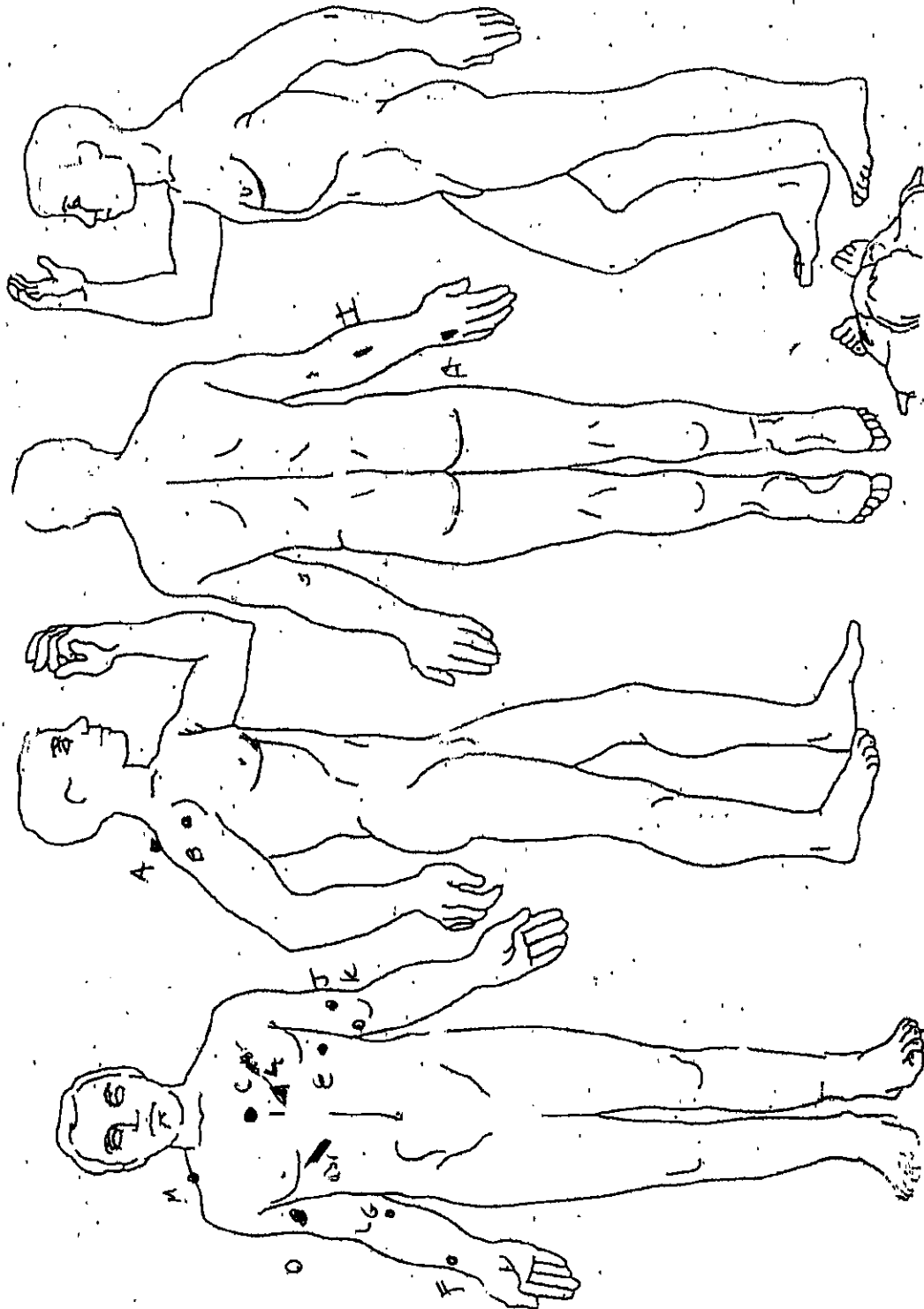
By Kevin Hoffman
Kevin Hoffman
Deputy Sheriff-Coroner



Sheriff-Coroner
Contra Costa County
1960 Muir Road, 1st Floor
Martinez, CA 94553
925 313-2850

Case # 18-5119

Arboleda, Lavdemer



case #2018-091

time - 14:30
location - left arm

DECLARATION

To Be Completed By Person Collecting Blood

Emerson Argueta, under penalty of perjury says:
(Print Name)

I am employed by CML
in the capacity checked below:

- | | |
|--|---|
| <input type="checkbox"/> physician | <input type="checkbox"/> clinical laboratory bioanalyst |
| <input type="checkbox"/> registered nurse | <input checked="" type="checkbox"/> phlebotomist |
| <input type="checkbox"/> licensed vocational nurse | <input type="checkbox"/> certified paramedic |
| <input type="checkbox"/> licensed clinical laboratory technologist | |

On this date I took blood from a person identified to me as _____
Andrew Hall, the subject.

I cleaned the area to be punctured with the non-alcoholic disinfectant, included in the Contra Costa County Criminalistics Laboratory blood withdrawal kit.

Using the sterilized needle and holder from the kit, I inserted the needle into the subject's vein and withdrew enough blood to fill the two vacuum tubes.

I discarded the needle, holder, and disinfectant, and I mixed the powder in the tubes thoroughly to prevent the blood from clotting.

The tubes of blood were labeled with the full name of the subject, the date and time of withdrawal, and I placed my initials on the label.

I gave the tubes to the officer who accompanied the subject, and I observed the officer seal the top of each tube with a label seal and place his initials on the seal and on the label of each tube.

The sample(s) was/were taken in a medically approved manner.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 11/3/18 at Danville PD California.

[Signature]

(Signature of Declarant)

(WHITE COPY)
(YELLOW COPY)
(PINK COPY)

DISTRICT ATTORNEY'S COPY - PLEASE SUBMIT TO DA'S OFFICE ALONG WITH FILING PAPERWORK
POLICE AGENCY'S COPY - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS
COPY FOR PERSON MAKING BLOOD WITHDRAWAL - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS

18-5124-1



Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Muir Road, Martinez, Ca. 94553



Restricted

REPORT OF LABORATORY EXAMINATION

Laboratory No:	18-5124-1	Agency:	Danville Police Department
Report Date:	11/10/2018	Agency Case No.:	2018-091
Service:	Alcohol Analysis	Requested by:	B. Sliger
Request Date:	11/5/2018	Case Type:	Death
Subject(s):	Hall, Andrew		

Offenses:

Officer Inv.

Examination Results and Conclusions:

Analysis Date(s): 11/09/2018 to 11/10/2018

Item #1: Blood Alcohol/Drug envelope containing two vial(s)

Type of sample: **Blood**

Reported Result: **Negative**

I certify, under penalty of perjury, under the laws of the State of California, that the above blood/urine analysis was performed during the regular course of my duties, and is a true and correct copy thereof. I further certify that I am qualified to perform these analyses, and that the equipment used in arriving at the results was in proper working order at the time I performed this analysis. The recording of the analysis results was done at the time of the analysis.

Reported By:

Denise Gallagher

Denise Gallagher, Criminalist

Date: November 10, 2018

Executed in Martinez, Contra Costa County, California

Approved By:

Joaquin A. Jimenez

Joaquin A. Jimenez, Forensic Supervisor

E-MAILED
12.3.18 to Sliger

Page 2 of 3

BA0CC RSA 10 12/1

Report Annex

Client Address:**Danville Police Department**

510 La Gonda Way

Danville, CA

94526

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty of measurement is reported on the average of the four unconverted measurements. The statistical level of confidence is approximately 99.73% ($k=3$).
- Per AB2425, the reported result is truncated to three digits.
- Per Title 17, urine results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.3. The uncertainty of measurement is reported on the average of the unconverted analytical results.
- Vitreous results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.27. The uncertainty of measurement is reported on the average of the unconverted analytical results.
- The unconverted result determines the reportability of urine and vitreous samples.
- For Cavity Fluid, Other, & Coroner-Other sample types, results are reported as an alcohol concentration and are not converted to a blood alcohol concentration.
- Homogeneity is assumed among multiple vials within an envelope or kit as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Blood Alcohol Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- Any deviations from the sampling plan or technical procedures or use of containers not provided by the Crime Lab will be documented in the case report. Any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab will be documented in the case notes.
- % W/V is an abbreviation for grams of ethanol per 100 milliliters of liquid.
- The linear reportable range of the method is 0.020 % W/V to 0.500 % W/V.
- The reported result reflects the concentration at the time of analysis and does not account for changes that may occur before or after analysis.
- Evidence associated with California Vehicle Codes (CVC) will be kept for one year in the laboratory, then returned to the agency. All other evidence will be returned to the agency, unless otherwise noted on the report.

Analytical Tests Used:

Heated Headspace Dual Column Gas Chromatography with Flame Ionization Detector

Receipt of Evidence:

Received from B. Sliger by Danielle Adams on 11/5/2018

1 Blood Alcohol/Drug envelope

Uncertainty of Measurement:

Item #1: Blood Alcohol/Drug envelope containing two vial(s)

Average Result: Negative. No assigned uncertainty.

[End of Report]

18-5124-2



Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Muir Road, Martinez, CA 94553



Restricted

REPORT OF LABORATORY EXAMINATION

Laboratory No: 18-5124-2
Report Date: 11/21/2018
Service: Toxicology Analysis
Request Date: 11/5/2018
Subject(s): Hall, Andrew
Agency: Danville Police Department
Agency Case No.: 2018-091
Requested by: B. Sliger
Case Type: Death

Description of Evidence (Initial package(s) were submitted tape sealed unless otherwise stated)
Submission #1: Blood Alcohol/Drug envelope containing 2 vial(s).

Test Subject: **Hall, Andrew**

Type of sample: **Blood**

Container No.: 92202

Analysis results:

Analysis Date(s): 11/19/2018

Submission #1: Blood Alcohol/Drug envelope

Screening Results and Conclusions:

Methamphetamine/MDMA

Amphetamine/MDA

Cocaine/Cocaine Metabolite

Opiates (Codeine, Morphine)

Benzodiazepines

Cannabinoids

Result:

negative

negative

negative

negative

negative

negative

Confirmation Results and Conclusions:

No confirmation done.

Result

Cutoff:

MDA is Methylenedioxymphetamine
MDMA is Methylenedioxymphetamine

Reported By:

Approved By:

Stephanie D. Turner

Stephanie Turner, Criminalist

Danielle Marie Adams

Danielle Marie Adams, Forensic Manager

Date: November 21, 2018

E-MAILED

NOV 27 2018

Officer A. Sliger

ANALYZE FOR:

☐ Alcohol☐ Amphetamines☐ Cocaine☐ Others (Please List)

I check if this is a referee sample for the subject in this case.

Police Agency: DANVILLE PD/CCCSOAgency Base No.: 2018-091

City

☐ UnincorporatedCase No(s): 015Incident Date: 11-3-18Officer's Name: HALL
(Last)ANDREW
(First)Issuing Officer/Person: B. SLIGERInvestigating Officer: B. SLIGER

Badge No.

Person Drawing Blood: EMERSONLocation of Withdrawal: DANVILLE PDSample Taken: 11-3-18Time: 11/3/18

CHAIN OF POSSESSION:

Received From:	Received By:	
ROSEN, Andrew	B. SLIGER	11/3/18
SLIGER	R. SULLIVAN	11/3/18
SULLIVAN	IA FAIRBANK LOCKER	11/3/18
FAIRBANK LOCKER	B. SLIGER	11/3/18
SLIGER	D. ADAMS	11/3/18
D. ADAMS	Mult Log In Fridge	11/3/18

FOR LABORATORY USE:

Report Annex

Client Address:**Danville Police Department**

510 La Gonda Way
Danville, CA
94526

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty information will only be given for quantitative results. The statistical level of confidence is approximately 95% (k=2, unless otherwise noted).
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Toxicology Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- Any deviations from the sampling plan or technical procedures or use of containers not provided by the Crime Lab will be documented in the case report. Any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab will be documented in the case notes.
- µg/ml is an abbreviation for micrograms per milliliter.
ng/ml is an abbreviation for nanograms per milliliter.
- Immunoassay screening technique is considered a presumptive test due to the fact that immunoassays are not always specific to a single analyte.
- When the report indicates that further work or additional analysis may be performed, it is the responsibility of the customer to request the work if needed.
- The reported result reflects the concentration at the time of analysis and does not account for changes that may occur before or after analysis. Not all drugs are stable and concentrations may change over time, potentially resulting in values below the reporting limit. Any additional analysis or re-analysis should be requested as soon as possible.
- Samples to be re-analyzed should be stored in a manner that prevents breakdown and preserves the evidence as long as possible--refrigeration is highly suggested.
- If a drug is not reported as positive, it indicates either that it was not detected or, if a drug was detected, it was present at a concentration less than this Laboratory's established reporting limit. All confirmations, if required, are done by Gas Chromatography/Mass Spectrometry.
- The tests performed are generally accepted by consensus of the relevant scientific community. The tests were performed in a scientifically approved manner.
- Evidence associated with California Vehicle Codes (CVC) and tested for Alcohol will be kept for one year in the laboratory, then returned to the agency. All other evidence will be returned to the agency, unless otherwise noted on the report.

Analytical Tests Used:

- Most screenings are done by Immunoassay. Acid Neutral Drugs and Basic Drugs screenings are both done by gas chromatography/mass spectrometry.
- Confirmations are done by Gas Chromatography/Mass Spectrometry.

Receipt of Evidence

Submission #1: Blood Alcohol/Drug envelope

This evidence submission was received from B. Sliger by Danielle Adams on 11/5/2018.

[End of Report]





